

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 7th March 1947.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. President (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Inclusion of menial staff in regular establishments.

* 76 Q.—SRI R. SURYANARAYANA RAO: With reference to answer to Question No. 53 and supplementary questions and answers to it on the 11th September 1946, will the Hon. the Minister for Public Health and Medicine be pleased to state—

(a) whether the Government propose to include all the 'menial' staff employed in the hospitals in the regular establishment;

(b) whether the question of providing leave reserve for the menial staff is under consideration;

(c) whether all the menial staff employed in Government hospitals will be governed by leave rules applicable to other public servants; and

(d) whether the members of the menial staff who retire prematurely would be entitled to gratuity or proportionate pension?

THE HON. MRS. LAKSHMIPATHI:—“(a), (c) & (d) The Cabinet Salaries Committee have made certain recommendations regarding the conversion of a portion of the contingent establishment and the grant of leave on pay and gratuity for such establishment. The Surgeon-General has been requested to submit proposals for giving effect to these recommendations.

“(b) A Committee constituted by the Surgeon-General to examine and report on the conditions of service of hospital workers has made certain suggestions in the matter, which are under consideration separately.”

SRI R. SURYANARAYANA RAO:—“May I know whether the Cabinet Sub-Committee's Report has given reasons why only a portion of the menial staff is to be employed on a permanent basis.”

THE HON. MRS. LAKSHMIPATHI:—“The Salaries Sub-Committee recommended that only such of those contingent labour as is required for the efficient conduct of each department should be made permanent and not the entire lot of contingent establishment.”

Distribution of mill cloth in Malabar.

* 77 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the distribution of mill cloth in Malabar district is to be entrusted exclusively to the producers-cum-consumers' co-operative societies;

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(b) whether it is proposed to extend this arrangement to areas where similar societies have been brought into existence or will be organized;

(c) whether there are sufficient number of producers-cum-consumers' co-operative societies specially in Malabar to serve conveniently interior and remote villages;

(d) whether this policy of preference to producers-cum-consumers' co-operative societies is to be adopted even where suitable existing co-operative organizations are willing to undertake the distribution of cloth or yarn;

(e) whether the Government have received complaints that this preference shown to producers-cum-consumers' co-operative societies will practically drive the retailers in mill cloth from the field;

(f) whether it is a fact that the retail dealers in mill cloth hold licences under the Textile Control Order, having satisfied the conditions laid down therein;

(g) whether it is a fact that this policy amounts in the opinion of cloth-dealers to a breach of faith; and

(h) whether it is proposed to continue the new licensing policy only temporarily or for all time to come?

THE HON. SRI V. V. GIRI:—“(a) Yes.

“(b) & (d) While the intention of the Government is to utilize to the extent practicable the producers-cum-consumers' co-operative societies for the distribution of mill-made cloth, they do not propose to prohibit other suitable co-operative societies from undertaking the work. Each case will be decided on its merits, due regard being paid to local conditions.

“(c) There are 106 producers-cum-consumers' co-operative societies in Malabar which are sufficient to serve conveniently the whole of the district including interior and remote villages except the Attapadi Valley, which is a special area. The question of making arrangements for the supply of cloth in that area is under consideration.

“(d) The question has been answered.

“(e) Yes.

“(f) Yes.

“(g) No.

“(h) The new licensing policy will be continued as long as control over the distribution of mill cloth and yarn exists and after if circumstances necessitate.

“In view of the representations made to Government that merchants who will be eliminated under the decision to distribute mill cloth in the Malabar district exclusively through the agency of the producers-cum-consumers' co-operative societies, should be given some time to enable them to adjust themselves to the changed conditions and as it will take some time for the producers-cum-consumers' co-operative societies to make adequate arrangements for the distribution of mill cloth, the

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Government have decided to postpone the introduction of the revised arrangements to 1st June 1947. For the same reasons, the Government have also decided to defer the decision to utilize the existing co-operative organizations and the producers-cum-consumers' co-operative societies for distribution of cloth in the district other than Malabar till the end of May 1947."

SRI R. SURYANARAYANA RAO :—" May I know what is the area of operations of each producers-cum-consumer's co-operative society? "

THE HON. SRI V. V. GIRI :—" Each firka has got two or three societies and the whole district is included for distribution."

SRI R. SURYANARAYANA RAO :—" May I know whether there are two or three sub-depots under each society for the distribution of cloth and other necessities? "

THE HON. SRI V. V. GIRI :—" I take it is so."

SRI K. MADHAVA MENON :—" Is it not a fact, Sir, that these 106 societies have taken over the control of the entire 3,000 ration shops in the district."

THE HON. SRI V. V. GIRI :—" It is so, Sir."

SRI R. SURYANARAYANA RAO :—" May I know who is the deciding authority whether certain co-operative societies other than producers-cum-consumers' co-operative societies can also be entrusted with this task of distributing cloth? "

THE HON. SRI V. V. GIRI :—" The department concerned, Sir."

SRI K. MADHAVA MENON :—" Will it not be possible to distribute through those shops which have been taken over by the co-operative societies? "

THE HON. SRI V. V. GIRI :—" Yes, Sir."

Issue of licences to merchants.

* 78 Q.—SRI S. A. S. RM. RAMANATHAN CHETTIYAR : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether it is a fact that a fresh licence was issued to Messrs. Rukmani Stores, Royapetta High Road, Madras, while rejecting the applications of many other merchants during the basic period;

(b) if so, the reasons for such favoured treatment;

(c) what is the policy of the Government in issuing fresh licences;

(d) whether it is true that the estimated additional expenses for the transfer of the Textile department to the Collectorate is nearly seven lakhs of rupees per year;

(e) if so, the reason for such transfer at such an enormous expense;

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(f) whether it is a fact that all the blackmarket cases of the Textile department have been transferred to the Police department; and if so, why;

(g) whether the Government propose to transfer this from the Police department; and

(h) whether it is a fact that Assistant Textile Commissioners are going to be appointed to each district to help the Collectors in the transaction of the textile business; and if so, whether fair distribution of these appointments according to the linguistic groups of districts will be made?

THE HON. SRI V. V. GIRI:—“(a) & (b) The Proprietor of Messrs. Rukmani Stores, Royapetta, Sri D. Krishnan and his brother were running a piecegoods shop at Chintadripet, Madras, under the name and style of “Rajam and Co.” till the year 1942 when due to the evacuation of the city their shop was closed down. One of the partners joined war service. In May 1946, when conditions improved, Sri D. Krishnan applied for licence to do business at Royapetta under the new name and style of “Rukmani Stores.” This was granted to him as he had done business in the years 1940, 1941 and 1942 and as the subsequent break in business was due to causes beyond his control.

“Persons who had done business during the basic period and were eligible for a licence under the rules were not refused a licence when they applied for it with sufficient proof. All applications for licences were disposed of on their merits.

“(c) The policy of the Government in regard to the issue of fresh licences is laid down in paragraph 3 of G.O. No. 4653, Development, dated 19th December 1946, copies of which were communicated to all the members of the Legislature.

“(d) & (e) In order to secure the efficient working of the new scheme of distribution of cloth and yarn with the assistance of local committees the Government considered that Collectors should be made fully responsible for all items of textile control work which could be done on a district basis. The Textile Control Department was reorganized accordingly. The annual cost of the reorganization is estimated at Rs. 1.44 lakhs based on the average salaries of the posts created. The actual cost is likely to be much less as most of the officers are paid only the minimum of the scales and as the estimate does not include the savings due to retrenchment in the office of the Provincial Textile Commissioner. The extra cost will be fully met by the receipts from licence fees collected by the Department.

“(f) It is not correct to say that all blackmarketing cases of the Textile Control Department have been transferred to the Police. The Government have only removed certain restrictions which were imposed on the Police in the enforcement of textile control measures in order to facilitate the drive against blackmarketing and hoarding of controlled articles like cloth and yarn.

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“(g) The answer is in the negative.

“(h) The Government have already appointed one Inspecting Assistant Textile Commissioner for each district in this Province. The appointments were made only on a linguistic basis, i.e., Telugu officers have been posted for Telugu districts and Tamil officers for Tamil districts, etc.”

SRI R. SURYANARAYANA RAO :—“ Have any qualifications been prescribed for the Assistant Inspecting Textile Commissioner? ”

THE HON. SRI V. V. GIRI :—“ There are no special qualifications but certainly they are persons well entitled to hold office that has been given to them.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ May I know how many of them are officials and how many are non-officials? ”

THE HON. SRI V. V. GIRI :—“ I shall be very glad to have notice; I gave this information to the other House yesterday and I shall give that information if notice is given.”

SRI R. SURYANARAYANA RAO :—“ May I know whether a knowledge of textiles is one of the qualifications prescribed? ”

THE HON. SRI V. V. GIRI :—“ No, Sir. These are temporary appointments and as a matter of fact, the officers who have been appointed have acquitted themselves well and have run the department in a satisfactory and proper manner.”

SRI R. SURYANARAYANA RAO :—“ May I bring to the notice of the Hon. Minister that one of the Assistant Textile Commissioners did not even know that the yarn has to go through certain process before it is put in the loom? ”

THE HON. SRI V. V. GIRI :—“ I take the information from the hon. Member.”

SRI S. A. S. RM. RAMANATHAN CHETTIYAR :—“ Textile Commissioner—கரு பதிலாக முன்னால் பழயபடி இருந்தவர்களிடமே கொடுத்தால் நன்றாக இருக்காதா? என்று கேட்கிறேன்.”

MR. PRESIDENT :—“ He is asking why not revert to the old system of control? ”

THE HON. SRI V. V. GIRI :—“ The Government have considered the original scheme and have come to this conclusion. Let us try that department for some time.”

SRI R. SURYANARAYANA RAO :—“ May I know if the Assistant Textile Commissioners are under the control and supervision of Collectors? ”

THE HON. SRI V. V. GIRI :—“ Yes, Sir.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ May I know whether most of the non-officials who have been appointed have had nothing to do either with spinning or weaving? ”

THE HON. SRI V. V. GIRI :—“ I cannot say so.”

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SRI B. BHIMA RAO :—" May I know whether for any of these temporary appointments any one from the Ceded Districts has been appointed? "

THE HON. SRI V. V. GIRI :—" I am not absolutely certain ; but there must be one. I shall look into it."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" With reference to answer to (b) will the Hon. Minister say that there are no cases of favoured treatment in regard to granting of licences? "

THE HON. SRI V. V. GIRI :—" Certainly not, Sir."

Varagu food poisoning cases.

MR. PRESIDENT :—" Anybody authorized to put the question? "

SRI R. SURYANARAYANA RAO :—" I have not been authorized ; but if you permit, I shall put it."

* 79 Q.—SRI R. SURYANARAYANA RAO (on behalf of Lt.-Col. K. R. K. Iyengar) : Will the Hon. the Minister for Motor Transport and Food be pleased to state—

(a) the number of varagu food poisoning cases that have been reported since January 1946 ;

(b) what investigations have been carried out in connexion with recent outbreak at different parts of this Province ;

(c) the measures that have been adopted to ensure that the rice issued is free from poisonous effects ; and

(d) whether the Government propose to institute an enquiry by experts so as to control or eradicate this menace?

THE HON. SRI R. RAGHAVA MENON :—" (a) Since January 1946 a few cases have been reported in respect of the districts of Trichinopoly, Coimbatore, Chingleput, Ramnad and Salem, to which some varagu had been sent from the Tanjore district to meet millets scarcity. Even in 1944-45 the Collectors of Ramnad and South Arcot reported to the Commissioner of Civil Supplies that the varagu supplied to their districts was causing giddiness and vomiting to consumers.

" (b) & (c) The Assistant Entomologist, Trichinopoly, and the Millets Specialist, Coimbatore, who examined the grain in 1945 suggested some methods for avoiding the toxic effects of the grain and these methods were circularized to the Collectors concerned for giving publicity. In spite of the wide publicity given, persons in the other districts have either not been adopting the methods or are finding it difficult to adopt them successfully.

" (d) The Surgeon-General and the Director of Public Health have taken the matter on hand and are investigating. Pending receipt of a report from them the stocking and issue of varagu in ration shops have been prohibited. However, the issue of varagu outside the ration and its sale for use as starch and cattle feed have been permitted."

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[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—GENERAL DISCUSSION OF THE BUDGET FOR THE YEAR
1947-48—cont,

* SRI B. BHIMA RAO :—“ Sir, as you all know, the district ^{11-15 a.m.} that I represent is Bellary, a bi-lingual district. For the most part, it is predominantly a Kannada district and a portion of it is Andhra. Three taluks in the district are Telugu taluks. As it is a bi-lingual district, it is somehow neglected by the Ministry. My electorate always complain to me to represent this fact before this House so that the interests of the district might receive due recognition from the Ministry. This is quite manifest in the appointments that have recently been made. In the appointments of Assistant Textile Officers, I do not find any representative from Bellary district. In my district, there are several people who have got better qualifications, and some of these might have been appointed. But still their claims have not been recognized. I hear, Sir, that the qualifications taken note of were the sacrifices made from 1942-45 by the persons that have been appointed. There are B.A., B.Ls. and B.As. in Bellary district who have made such sacrifices and none of them has received recognition. They have asked me to represent this matter here. After all, it may be a very minor consideration, but still this causes dissatisfaction. Not only in this matter alone, but in every case of new appointments, my district is lost sight of. I do not want to multiply instances. I want to bring to the notice of the Ministry one important point in this connection. Bellary district has got all the disadvantages of a bi-lingual district. You know that an Engineering College is to be provided for the Rayalaseema districts. The college is now located temporarily at Cocanada or Guntur. Its permanent location has not yet been settled by the Ministry. Among the Rayalaseema districts, Bellary is the premier city which has got the largest population, and is the most commercial town. Besides, you have got a number of buildings there which had been occupied by the Pioneer Corps and which are now vacant. Also the Alipuram Jail premises are there, and now we have the Tungabhadra Project in operation. That being so, anybody would think that Bellary is the most convenient, and the fittest place for the location of the Engineering College. I find provision has been made in the budget for this. Somehow, Sir, other interests are at work, and on considerations that in the distant future when Karnataka Province is formed, Bellary may go into that Province, the college is not to be located in Bellary. I appeal to the Ministry to see that such considerations do not prevail. Let them take the map of Madras Province as it is at present, and give due recognition to my district. We lost the Government college, which is now in Anantapur. Every other college we are losing on account of these small considerations. I appeal to the Ministry to locate the Engineering College in Bellary alone.

“ Having said this much about my district, Sir, I now want to speak on the textile policy of the Government. It has received approbation from the highest quarters, including Mahatma Gandhi,

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and really I feel very nervous to broach upon this subject. But, I submit that Government should recognize facts as they exist at present and give some exemption or make some modifications in their textile policy with regard to the districts of Bellary and Anantapur. It might be within the recollection of the Hon. the Premier, when he was Revenue Minister in 1938, that he appointed a committee to enquire into the famine conditions prevailing in the Ceded districts. A report was published in which it was recommended that three spinning mills should be located in the Ceded districts. The reason for that was this. The districts of Bellary and Anantapur produce cotton, and annually one lakh of bales are exported from Bellary, Guntakal and Adoni to Ahmedabad, Bombay and other places. If cotton is utilised in our own districts, it will give employment to so many labourers and afterwards the yarn may be woven into cloth. That was the object with which the committee recommended that three spinning mills should be located in the Ceded districts. But subsequently the Ministry resigned, and no action could be taken on that. During the administration of the Advisers, this recommendation was taken note of. As a result, several applicants came forward to establish mills, and they were all granted spindles—in all about 50,000 and odd. The present Government now says 'we shall not receive these spindles and we shall not allow the erection of any mills. Sir, Rayalaseema is not industrialized. If these mills are not erected, there will be no employment for many a labourer. The Tungabhadra Project will only touch a fringe of the population, and hence there will be many without employment. By erecting these mills . . . (Sri K. Madhava Menon : 'Let them all spin.') My Hon. friend says—and also the Hon. Premier says—let them all spin. Sir, after this policy was announced by the Government I have gone to about 30 major villages where within a furlong of their homes, cotton is grown. I asked them 'why don't you spin cotton and produce yarn, and afterwards weave it into cloth.' They said that for so many years they had not been used to that work, and confessed their inability to do it now. I think this is not a case of riding two horses as the Premier puts it. I think both can go together. In the case of the Rayalaseema districts, some exemption should be made. This is the time, we thought, to establish the industry in the Rayalaseema districts. But we find this dispute going on between the Central Government and this Provincial Government with regard to the reception of spindles. This is causing injury to the interests of Rayalaseema. I hope the Ministry will take into consideration the recommendation of the Famine Code Revision Committee, a recommendation which the Hon. the Premier accepted before resigning office in 1939, and permit these spindles to be received by those to whom they have been assigned, and see that the mills are allowed to work. I say this in the general interests of the people of the Rayalaseema districts. Otherwise, they would be in the same poor, famished condition in which they are at present.' They have asked me to voice forth this feeling of

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theirs in this House. That is why I have taken the courage to mention this in this House in spite of the proclaimed policy of the Government.

“ The next question that I want to refer to is the question of commercial taxes. When the general sales tax was introduced in the year 1939, I believe a question was put to the then Hon. the Premier as to how much revenue was expected to be realized by this tax. He said that it would be somewhere in the neighbourhood of Rs. 50 lakhs. At that time instructions were given that certain items should not be subjected to the General Sales Tax Act. For several years, some items were not at all taxed. But, suddenly, I think by the end of 1945-46, in Bellary district, various items which were not taxed previously, were taxed. Appeals were preferred to the Commercial Tax Officers and subsequently to the Board of Revenue. The appeals to the Board of Revenue elicited the usual reply ‘ The Board declines to interfere.’ I think the revenue from this commercial tax now is something in the neighbourhood of Rs. 6 to Rs. 7 crores. My submission—and that of the mercantile community—is that there should be a more independent judicial tribunal to determine these cases, especially when questions of law are involved, such as whether certain items are liable to taxation or not. When these questions are to be determined, I think it is better that a committee consisting of a judicial officer and two other retired administrative officers is constituted, instead of determining them by senior officers of the department. This will give some relief to the mercantile community. One thing more which I want to mention in connection with this commercial tax is that the department takes a long time to dispose of appeals, and before the appeals are disposed of, they start prosecutions against those who have not paid the tax. I think it is only fair that when a certain matter is under consideration on a point of law, no proceedings by way of prosecution should take place. I think it is a rule in Bellary district that these prosecutions are started with a view to the realization of the amount even before the question is disposed of on appeal. I think Government should issue instructions to see that such prosecutions are not launched before the determination of the appeals. 11-30
a.m.

“ One more subject and I shall finish. It is the question of the salaries of the poor-paid elementary school teachers. The increases that have been given are still unsatisfactory. I think their salary should be increased to Rs. 30 per mensem, which, I think, is given in other provinces. And unless that is done I think there will be grave dissatisfaction. In the case of aided schools, though it is mentioned in the budget that some lakhs are given to private managements to enable them to pay dearness allowance to their teachers, I am informed that they have not yet received any substantial help. I think they must be given extra help besides that mentioned in the budget memorandum. With these words, Sir, I resume my seat.”

* SRI S. A. S. RM. RAMANATHAN CHETTIYAR :—“ தலைவர் அவர்களே, போன் வருஷ பட்டுண்டின்போது சில மாறுதல்களை நான் எடுத்துச் சொல்லியும் இப்பொழுது கவரின்மெண்டு servant attitude அப்படியேதான்

[Sri S. A. S. Rm. Ramanathan Chettiyar] [17th March 1947]

இருக்கிறது. Change பண்ணவே இல்லை. பழய தோரணையில்தான் இருந்து வருகிறது, மாறவில்லை. பொது ஜனங்களிடத்தில் வரி வாங்கி Treasury ஐ நிறைப்புகிறார்கள். அந்த பொது ஜனங்களால் பாஸ் பண்ணின பட்ஜெட்டைத் தான் நாம் அமுலுக்கு கொண்டுவரவேண்டியிருக்கிறது. அந்தப்படி பாஸ் பண்ணின பட்ஜெட்டின் பணத்தைதான் அதிகாரிகளுக்கு சம்பளம் கொடுக்கிறோம். அப்படி சம்பளம் வாங்கும் அதிகாரிகள் இன்னும் பொது ஜனங்களுக்கு சௌகரியங்கள் செய்வதாக தெரியவில்லை. தவிர பொது மக்களிடமிருந்து வரி வசூலில் நாம் சம்பளம் வாங்குகிறோம் என்ற உணர்ச்சி கடுகு அளவுகூட இல்லை.

“இப்பொழுது Sales tax போட்டிருக்கிறார்கள். வரி போடுவதற்கு கணக்கை எடுத்துக்கொண்டுபோனால் 28-ம் தேதி வாய்தா என்று கொண்டு போனால் இப்பொழுது கணக்குப் பார்க்கமுடியாது போய் வா, 15 நாட்கள் கழித்துவா என்றும் சொல்லி அனுப்பிவிடுகிறார்கள். தங்களுக்கு வேலை இருக்கிறது என்று சொல்லியனுப்பிவிடுகிறார்கள். ரூபாய் 20 லட்சம் முதல் போடும் வியாபாரம் செய்கிறவர்கள் கணக்குகள் ரசீது, பில் புல்தகம் வகையறு கணக்கு வைத்திருப்பார்கள். அதை மோட்டாரிலும், லாரியிலும், train-லும் எடுத்துக்கொண்டு போய்விட்டு திரும்பிவருகிறார்கள். அடுத்த வாரம் வா என்று அதிகாரிகள் சொல்லி அனுப்பிவிடுகிறார்கள். அடுத்த வாரம் Meeting அப்பொழுது வா என்று சொல்லி யனுப்பிவிடுகிறார்கள். லட்சக் கணக்கில் வியாபாரம் செய்கிறவர்களை இந்த மாதிரி கணக்குப் பார்க்காமல் அனுப்புபவது சரியல்ல. நமது கவர்ன்மெண்டார் இருக்கும் போது இவ்வளவு கஷ்டங்கள் எதற்கு. இதைப் பார்த்தால் அதிகாரிகள் வியாபாரிகளை அடிமோடு நசுக்குவதாக இருக்கிறது. கவர்ன்மெண்டில் வியாபாரத்தை விட்டு விட்டு போகச் சொல்லுகிறார்கள். கோவாபரேடிவ் சொசைட்டி வைக்கப்போகிறார்களாம் இந்த கள்ள மார்க்கெட்டை ஒழிக்க. அது என்ன ஆகப்போகிறதோ, எப்படி நடக்கப்போகிறதோ தெரியவில்லை.

“போலீஸ்காரர்கள் பொது ஜனங்களிடத்தில் நன்றாக பழகவேண்டாம் என்று பம்பாயில் உத்திரவு போட்டிருக்கிறார்கள். அப்படி இல்லாவிட்டால் Services action எடுத்துக்கொள்ளப்படும் என்று உத்திரவு போட்டிருக்கிறார்கள். அந்த மாதிரி நம்மாகாணத்திலும் இருக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். போலீஸ்காரர்களுக்கு இன்னும் அதிகாரம் ஜாஸ்தி கொடுக்கிறதாக தெரிகிறது. முன்பு எல்லாம் Textile department-ல் கேஸ்கள் கண்டுபிடித்தால் Textile Commissioner prosecute செய்வதாக இருந்தது. இப்பொழுது அதுமாதிரி இல்லாமல் போலீஸ்காரர்கள் கையில் அந்த அதிகாரத்தை கொடுத்திருப்பதாக தெரிகிறது. இப்பொழுது சேலத்தில் கூட 2, 3 கேஸ்கள் நடக்கிறதாக கேள்வி. போலீஸ்காரர்கள் எவ்வளவு நம்பிக்கையாக இருப்பார்கள் என்று எல்லோருக்கும் தெரியும். அதைப்பற்றி சொல்ல தேவை இல்லை. அவர்களுக்கு இப்பொழுது இருக்கிற அதிகாரம் போதும். சட்டசபையில் கொண்டுவந்து பாஸ் பண்ணவேண்டியது இல்லை. ஏற்கனவே அவர்கள் கையில் நிறைய அதிகாரம் இருக்கிறது. ஏற்கனவே அவர்கள் ரோடில் அங்கேபோ இங்கே போ என்று சொல்லுகிறார்கள். இன்னும் அதிக அதிகாரம் தேவை இல்லை. இதை பிரதமர் அவர்களிடம் கேட்டுக்கொள்ளுகிறேன்.

“இரண்டாவதாக முக்கியமாக இந்த கவர்ன்மெண்டு ப்யூன்களுக்கு சம்பளம் போதாது. அவர்கள் அதிகம் இருக்கிறார்கள். நாமும் சாப்பிடுகிறோம். அவர்களும் சாப்பிடுகிறார்கள். சதாரணமாக அவர்களும் அரிசிதான் சாப்பிடுகிறார்கள். மற்றவர்களும் அரிசி சாப்பிடுகிறார்கள். ரூபாய் 4,000, 5,000 சம்பளம் வாங்குகிறவர்கள் சாப்பிடுவதும் இந்த ப்யூன்கள் சாப்பிடுவதும் ஒன்றுதான். அவர்கள் குழம்பு, ரசம், சாதம் முதலியவைகள் சாப்பிடுவார்கள், கூட பால் சாப்பிடுவார்கள். ஆனால் அரிசி எல்லோருக்கும் ஒன்று தான். வேறு வித்யாசம் இல்லை. சாப்பாடு all the same ஒன்றுதான். அதுவும் பட்ஜெட்டில் வந்திருக்கிறது. ப்யூன்களுக்கு கொஞ்சம் ஜாஸ்தி கொடுக்க வேண்டும். அது ரொம்பவும் அவசியம். ரூபாய் 2,000, 5,000 என்று சம்பளம் வாங்குகிறவர்களிடம் 100, 200 குறைத்துவிடலாம். அதற்காக அதிகாரிகள் என்னை கோபிக்கமாட்டார்கள். அவர்களுடைய சம்பளத்தில் out பண்ணி இவர்களுக்கு செலவழிக்கலாம். அவர்களுக்கு (அதிகாரிகளுக்கு) மாதம் ரூபாய் 1,000 சம்பளம் வந்தால் போதும். அவர்

7th March 1947.] [Sri S. A. S. Rm. Ramanathan Chettiyar]

களுக்கு பணம் surplus இருக்கும். இதைப் பார்த்து ப்யூன்களுக்கு எப்படியாவது செய்யவேண்டியது அவசியம். எவ்வளவு செய்யமுடியுமோ அவ்வளவு செய்யும்படியாக கேட்டுக்கொள்ளுகிறேன். ஒளவையார் 'எழைகள் அமுத கண்ணீர் கூறிய வானொடு ஒக்கும்' என்று சொல்லி இருக்கிறார்கள். அதையும் ஞாபகத்தில் வைத்துக்கொண்டு தக்கபடி கவனிக்கவேண்டும்."

* SRI K. NATARAJAN :—" Mr. President, Sir, I presume budgets are prepared after a perusal of the discussions in both the chambers of the Legislature. And also interpellations in the two Houses are taken note of by the Ministers or the departments concerned, so that the suggestions contained therein may be adopted wherever possible. I presume that should be the practice especially as this House has no opportunity of moving any cut motions. I have been at some pains, after the budgets were received, to go through the proceedings of the Council and the Assembly during the last ten or twelve months to see what were the suggestions made therein and what were the interpellations made, and whether any of the suggestions contained therein have been carried out in the framing of the budget. I find, it must be said to the credit of the Cabinet, that some suggestions have been incorporated. And I must certainly formally congratulate the Premier for that. I do not want to expatiate on the congratulation portion of the speech upon the introduction of Prohibition in eight more districts and on the abolition of the betting tax. I also congratulate the Ministry on bringing forward proposals for nationalization of industries. All the same I want to suggest certain points very briefly, as it were simply touching them for any further discussion later on.

" I shall in the first place devote myself to law and order. More than one speaker in the Council and in the Assembly during the course of the previous debates expatiated on the necessity of retaining or abolishing civil courts in the province. So far as Tanjore district is concerned I may say there are two district courts there, one of which is in Tanjore and the other is at Negapatam. Of course, there is not enough work for two courts. And it is a question of which district court should be abolished; is it the one at Negapatam or at Tanjore? I am a retiring practitioner and it is immaterial to me which district court is abolished. If I am to suggest the abolition of the district court at Negapatam perhaps I may be found fault by the young practitioners there; and if I am to suggest the abolition of the district court at Tanjore I may be incurring the displeasure of lawyers at Tanjore. Anyhow the records will show what amount of work is there in the two courts. From the statistics the Ministers will certainly see that there is absolutely no justification for the retention of two district courts in that district. That is one thing I wanted to say.

" The next point I want to deal with is with regard to the general policy of Government. So far as the ryots in estates are concerned they are governed mostly by the Estates Land Act, and their cases are now dealt with generally by the Deputy Collectors. And here I should not be misunderstood as though I am casting any personal aspersions on any of the Deputy Collectors. Many of them are well qualified and have sound grounding in law. But

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owing to their frequent camping in remote places and due to their other work, there is inordinate delay in the disposal of cases. Considering the fact that there is very little work in civil courts I would suggest an amendment of the Estates Land Act for the transfer of jurisdiction of those cases to civil courts.

"Then coming to the revenue side of administration I would suggest, and in fact I have been anticipated by my revered friend, Mr. Muthuranga Mudaliyar, who questioned whether Government contemplate the abolition of the jamabandi system. It is always a recognized fact that very little work is transacted then; there is a lot of confusion prevalent; and it is better one pauses for a while and consider what is the work that is done during jamabandi. Transfer of pattas? When sale deeds are executed and registered, a communication is made then and there to the department concerned to effect that, upon which automatically pattas are transferred. Is it the net assessment that is fixed then? No. Even that is made beforehand. It is during jamabandi that chances for corruption are very many, and if it is abolished it will be a good act of retrenchment. Then there is the Revenue Board. As far as I can see, even from the answer of the Minister it is evident, that this body may, if not totally abolished, be very much curtailed; because it has outlived its usefulness.

"Then I come to two local grievances of Tanjore town. For example, as far as the local and municipal department is concerned, in Tanjore, the Tanjore drainage scheme has been kept in abeyance for about fifteen years to my knowledge.

11-45
a.m.

"Sir, the Government were asked certain questions regarding drainage schemes in the Province and they gave a reply to the effect that some drainage schemes were given effect to in other districts. But so far as Tanjore and Kumbakonam are concerned the schemes have not been given effect to. It may be due to paucity of funds. But, Sir, Manambuchavadi in Tanjore is suffering very much for want of a proper drainage scheme and it is the cause for many diseases there.

"There is also one other thing which I should refer to with great trepidation so far as Ministerial tours are concerned. I beg the pardon of Hon. Ministers, Sir, I do not mean any particular Minister. It is a general impression amongst the population that at least 10 per cent of the expenditure on tours is unnecessary. I would only throw out a suggestion for suitable action to be taken by any Minister. It is not a reflection upon any particular Minister, either coming or going or now occupying the office here. Ministers are no doubt invited, cordially invited by people, so that they may have a very grand function. People more or less think that it is a demonstrative show. I think we need not give any encouragement for these ideas and many of these tours may very well be cut. Of course, these are all very small points and there may not be a large reduction in expenditure, but I am in duty bound to voice forth the impressions of the public, namely, that there are more Ministerial tours than are necessary in this Province.

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“ Then, Sir, I shall refer to one other small matter. In Tanjore we have the Saraswathi Mahal which is something like an Oriental Institute. There we have been demanding some donation or grant from the Government for the running of the Saraswathi Mahal. About Rs. 1 lakh was set apart by the claimants to the Tanjore Palace Estate for the running of this Saraswathi Mahal. On account of a change of investment from one Government security to another we are in want of funds now. Memorials were sent to the concerned Minister and I request that they may also be favourably considered.

“ As far as the question of agricultural income-tax is concerned that is a question on which I want the permission of the President to dwell for 4 or 5 minutes. It is the accredited policy of the Congress Party and nobody, at any rate on my side, can make exception to the imposition of agricultural income-tax. But at the same time we also plead for the introduction of this agricultural income-tax after the land revenue policy is settled. We are now going to have some settlement of the policy with regard to the zamindari, but we have not yet settled the land revenue policy so far as the ryotwari lands are concerned. We know that a Special Officer has been deputed to send questionnaires, receive answers and submit a report. I think we can very well wait for that report. Then a legislation will be required based on the report. Till then, Sir, the matter may be postponed. Sir, what is it that is expected from the agricultural income-tax? One crore of rupees is said to be expected. I think that is a very exaggerated estimate. Now if you fix the rate and the extent of land under the Agricultural Income-tax Act, what is there to prevent the partition of these big landed estates. In that case the agricultural income-tax will be reduced or it may have to be abolished altogether. You cannot at one strain bring a drastic legislation that partition should not be made as between two people.

“ As was remarked in the Legislative Assembly it is a fiction to suppose that the mirasdars are rich. Even those who own 20, 30 or 100 velis of land, who presumably are looked upon as rich, come under the Agriculturists Debt Relief Act, and have received relief under the Act. In the report of the Government you will see that so many mirasdars throughout the Province have been given relief under the Agriculturists Debt Relief Act. Then especially in Tanjore there is agrarian trouble. I therefore say that the present is a very inopportune time to impose this excessive agricultural income-tax on these people. It may be introduced at least a year hence. When they are not at all satisfied, when they are facing so many difficulties with ryots on the one side and the Government taxing on the other, the present is not the opportune moment for the Government to impose an agricultural income-tax.

“ If the agricultural income-tax has to be imposed at all I should like to make one suggestion by which the Government could curtail a large amount in expenditure. I want to make a suggestion about the system of appointing officers. Instead of asking the officers to enquire about a number of things, the income

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of a particular mirasidar, supervision of accounts, taking evidence, etc., you fix the revenue payable by him as the basis and then fix also his proportional income, taking the average for the last three years as a basis. This will involve less expenditure. This will be more satisfactory and then this will also avoid the necessity of the mirasdar having to go to the officers concerned with his accounts, etc., and taking other troubles. This will give satisfaction and there will be no necessity for any additional department. Once you begin a reform in any direction, just as in the Textile department, prohibition, etc., that will involve cost. If you adopt my suggestion, a suggestion which has emanated from many people,—and I understand that many memorials have been submitted to the Government upon this point—in regard to the agricultural income-tax, the expense will be lessened and it will benefit the mirasdar also at the present time.

“ Then a lump sum of Rs. 5,000 has been fixed. I suggest that this should also be fixed at a higher level consistent with rise in prices, so that all this unnecessary expenditure may be taken away.

“ Another thing is about the Textile policy. Sir, Mahatma Gandhi has blessed it and we are bound to support it. Everything is there. But in the working of the instructions of the Government there is a grievous defect which I have to point out. In the Tanjore district there has been considerable delay for nearly 2 months, goods have not been received in the market. Some 1,500 bales worth some lakhs of rupees are now with the wholesale merchants without instructions being given as regards their distribution to the retail dealers at considerable loss of interest to the wholesale dealers concerned. Representations have been made and copies of those representations are with me. No orders have yet been passed on the subject. The matter came up before the Textile Committee of the district in which I was present and we have appointed a sub-committee which will meet a month hence. The Government may take note of this thing as the matter is lying undisposed for so many months.

“ Another question which I want to deal with is with regard to the separation of the judiciary from the executive. Sir, this question was raised when the Ministry came into power and an expert committee was also appointed. I understand that they have submitted their report. Afterwards it has not received any attention. A question was put to the Hon. the Minister for Law. He said that it has not been shelved. Any further delay in this will certainly be not to the credit of the Government. I therefore suggest that the scheme also may be expedited.”

* SRI COLLURU VEERABHADRA RAO :—“ I take the occasion, Sir, to congratulate the Hon. Premier in bringing out a popular Ministry's budget, calculated to improve the condition of the masses of the province as a whole, and for the eradication of the exploitation of the many by a few, and for the economic soundness of the province, by the introduction of new schemes regarding food, cloth, rural development and co-operative societies,

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in spite of obvious obstructions from vested interests. Let me point out, Sir, the political situation of the province when these schemes were chalked out. There were labour strikes and lock-outs throughout the province and agrarian troubles, and riotings created by Communists in the South. The Ministry deserves warmest congratulations for having settled the labour disputes amicably and to the satisfaction of both the parties and for restoring law and order in the riot-affected areas in the South promptly and for having maintained the whole province in a calm and peaceful atmosphere while the whole country was infected with communal riotings. Now coming to the food situation, Sir, when the Ministry assumed charge of office the food position of this province was really disheartening and famine was hovering. Under such circumstances the Honourable Premier had himself taken charge of the helm and steered the country to safety. The Honourable Premier had instituted a scheme of subsidy to the producer and tempted him to part with his surplus paddy and thereby gave a fillip to procurement. Now, Sir, we are glad that the Government have increased the rice ration to 12 oz., but even this is quite insufficient for the normal nourishment of body and more so in the case of manual labourer who is now denied of his privilege so graciously extended before by sanctioning additional ration. We will be glad, Sir, if this ration is increased to 16 oz. during the forthcoming year. We welcome the Government's intention to encourage co-operation in this province, and thereby eradicate the social evils of blackmarketing and corruption prevalent in the merchant community and the exploitation of the many by a few. By the introduction of the producers' *cum* consumers co-operative societies, the society as a whole will thrive and reap the profits and this scheme is the long cherished dream of Mahatma Gandhi and which I am proud to say Sir, our popular Ministry is the first in materializing the idea and setting an example to the rest of the provinces. While appreciating the intention of the Government to introduce these co-operative societies in all the districts after finding the working of the experimental societies now established in four districts, it will be much appreciated if the Government beforehand eliminates the wholesale dealer in statutory rationed areas and undertake the distribution of all pulses, millets and dhalls, by the Government departmentally.

"I also welcome, Sir, the Government's proposal to introduce prohibition in eight more districts and congratulate the Ministry in taking such a bold step and advancing so rapidly by introducing prohibition in sixteen districts in so short a time. And further I expect the Government to introduce prohibition in the rest of the province by the end of next year and thereby eradicate the Drink-Demon in the province and ensure peaceful and prosperous living of the drink afflicted people.

"The Government were pleased to sanction four crores of rupees for Rural Reconstruction and Harijan Uplift schemes and 27 firkas were selected to experiment the scheme. Firka Development Officers were appointed in these selected firkas who were doing admirable work, but due to lack of official co-operation and

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understanding, the Firka Development Officers were unable to function efficiently. I am sorry to note, Sir, that in most of the cases the District Collectors were recalcitrant in one way or the other in the functioning of these schemes and I am afraid, Sir, if the outlook of these officers is not changed, the scheme cannot operate in the best interest of the people. In most of the firkas, the surveys were over and consolidated reports were submitted, but it is disheartening to note that none of the proposed developments in the firkas materialized. The people in the firkas were awaiting the fruition of these schemes and as time goes on they are becoming impatient and suspicious whether the proposed developments will ever materialize. Unless prompt action is taken to materialize the development schemes in the selected firkas, I am afraid, Sir, the enthusiasm and determination with which the schemes are planned will relapse.

"I am sorry to note, Sir, that even though a crore of rupees were sanctioned and set apart for Harijan Uplift, little or no money was spent under this scheme which requires immediate operation for banishing the social evil of untouchability, and for bettering the condition of Harijans in this province. I will be glad, Sir, if immediate arrangements are to be made for constructing Harijan colonies in the selected firkas in the first instance as a model village reconstruction and extended to the rest of the province also as more funds are available for this scheme in future.

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"The Government deserves warmest congratulations and commendation for giving effect to one of the principal items of the election manifesto, that of intensifying the production of khadi and thereby solve the cloth famine and the economic condition of the villagers. I am proud to tell you, Sir, that our popular Ministry under the leadership of our Honourable Premier is the first to materialize the long cherished desire of Mahatma Gandhi and the avowed wish of each and every Congressman, and again set an example to the rest of the provinces. I am glad, Sir, that the Government have set apart a lakh of rupees for establishing libraries in the selected firkas, but I wish to point out, Sir, that this grant is quite meagre and welcome further allotment of funds under this head. The Government should forthwith enforce compulsory elementary education to children of school-going age all over the province and banish illiteracy in the province. In this connexion let me point out, Sir, that the salaries of primary and elementary school teachers is quite inadequate and request the Government to consider their case also on a par with other establishments and raise the general standard of living of the teachers, who are the backbone of education and the imparters and trainers of our citizens of to-morrow. The condition of service in aided and private managed and committee managed schools is far worse and require immediate Government intervention and aid. In most of the aided and privately managed schools, the dearness allowance allowed is very low and insufficient and is not in accordance with the Government recommendation. The conditions of service and the rules governing retirement must

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strictly be extended and enforced to the privately managed and aided schools also. In these schools there are no rules and the teachers were left to the sweet will and pleasure of the managers, who are apt to encourage favourites. There is now a very big agitation in this respect and the teachers are quite discontented. The Government in the interests of the school-going population, should go through their grievances and banish their discontentment. Now Sir, coming to the subject of Public Health, I wish to point out Sir, that medical aid is very scarce in our Province and the Government should forthwith establish hospitals in important centres of the selected firkas in the first instance, and gradually establish such medical aid centres all over the Province and make medical aid available even to the remotest man free of cost or with least possible cost.

“ Now Sir, let me point out the plight of the citizens of Vizagapatam whose population swelled to nearly one and half lakhs, with scarcity of water supply. Even in normal times Vizagapatam has the scarcity of water supply throughout the year and more during the summer season. Now with the influx of population from the suburban areas Vizagapatam is all the more worse with regard to water supply. The Government were pleased to consider the plight of the citizens of Vizagapatam and promised to purchase the military water works and hand it over to the Vizagapatam Municipality. That was seven months ago and now I hear that negotiations are still going on. I request the Government to act promptly and supplement the Vizagapatam water works with the military water works before the approaching summer or else the citizens of Vizagapatam will have to face another hard year.

“ Next Sir, let me remind you that with the increased admissions to the Andhra Medical Collage, Vizagapatam, and the influx of students from all over the Province, the present hostel could not cope with the situation, added to this, the general influx of population from suburban areas into the town attracted by the military works and the employment therein, a scarcity of housing accommodation created and the poor medical college students were practically marooned. They have neither hostel accommodation nor accommodation available in the town. The authorities as a temporary measure requisitioned some buildings which were ill suited to be hostels and lodged them therein. Now Sir, I find that thirteen thousand rupees only were sanctioned for the construction of huts for additional hostel accommodation. By the above allotment, I gather, Sir, that the proposed huts to be built for additional hostel accommodation is only a temporary structure. I do not know Sir, what sort of huts the Government proposed to build but the allotment of such low funds evidently show that the proposed hostel accommodation to be built is not a permanent building. I request the Government to allot further funds of at least a lakh of rupees and reconsider their intention to build huts and sanction the building of a decent permanent hostel building.

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“ Now Sir, coming to the point of scarcity of milk in Vizagapatam I wish to remind you Sir, that there is agitation in this respect and the Government was requested to purchase military dairy farm at Vizagapatam and enable the population to have a regular supply of milk which is so highly needed to cover up the food deficiency and for the nutrition of the body. But I am sorry to note Sir, that nothing had been done in this respect. I request the Government to take prompt action in this respect and take over the military dairy farm also together with the water works installation. Now coming to the point of anti-corruption drive, the Government were pleased to sanction a separate establishment of anti-corruption officers. I am sorry to note Sir, that these officers have not sufficiently justified their existence. Some cases of black-marketing and corruption were detected, but the way in which the cases were dealt and the inordinate delay in bringing the culprit to justice defeats the purpose. In most cases only fines were imposed and these fines were readily paid. Nothing short of a stiff sentence of imprisonment will justify these cases, so as to act as a deterrent on the black-marketeers.

“ In conclusion Sir, I welcome all the rest of the Government schemes such as nationalization of motor transport, incorporation of industrial and finance corporation, separation of judiciary and executive and finally I congratulate the Government and the Hon. Premier in particular, for having chalked out these beneficial schemes for the betterment of the masses as a whole and to put an end to the exploitation of the many by a few.”

MR. J. L. P. ROCHE VICTORIA :—“ Mr. President, Sir, I wish to take this opportunity for saying a few words on Education. I do not presume to speak on education generally, because there are more able and more qualified experts in education who can advise the Government in this matter. I only want to speak about adult education with which I happen to be associated for a long time. Sir, I request that the allotment made for adult education should not either be reduced or omitted. Since 1939, this movement has taken a turn in the right direction, because in 1939 we had the first conference under the auspices of the South Indian Adult Education Association. After that we have held five conferences in different places, two of which were held in Madras City itself. But our progress has not been very encouraging because we have had no support from the Government. During the previous Congress Government the question was raised by me, but owing to the pre-occupation of the Ministry and owing to the short time they were in office they were not able to give the matter that attention which it deserves. After the Congress Government went out of office and during the regime of the Advisers, this movement was practically blacked out, because the Advisers' Government took the view that the Adult Education Movement was encouraging the Communist Movement. They also went so far as to ban the conferences and classes held under the auspices of the Adult Education Association. These conditions continued for a fairly long time, until last year, when we were given again some

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recognition in Government quarters. At the present moment, the present Government is trying to take some interest, as can be seen from certain questions found in the questionnaire issued by the Education Minister. But from the way in which the questions have been asked, I am afraid there seems to be not sufficient interest evinced on the part of the Government. It is true that the Government have given us an assurance, at least the Education Minister in one of our interviews with him has given us an assurance that hereafter the adult education movement will be encouraged and that local bodies will be encouraged to open centres in their areas, and that help will be given by Government for the training of teachers and workers. But what I wish to stress to-day is that this is the proper time for the Government to give a lead in this matter, for when they are talking of adult franchise everywhere, it is but necessary that the adult should be properly educated. Of course, there are different views on this subject and I am not here to give you an idea of how it should be done. These matters can be represented to the Government on behalf of the Adult Education workers and their movement generally. But I wish to impress upon the attention of the Government at this moment that they should not ignore this important branch of education in their budget proposals and I hope they will take note of this and try to help the movement as much as possible. If I may quote an example from elsewhere, the Bombay Government during the time of the previous Congress regime, established a permanent committee with the Premier as Chairman of the Committee. You will be glad to learn that even during the time when the Congress Ministry was not in office, this committee was able to do some substantial work, with the result that now that the Congress Government has come back to office, they are able to continue their work. Judged from the reports received, Bombay among all the provinces has progressed greatly in this matter.

“ Another matter on which I wish to offer some remarks is about industries. We have known from the discussion in the other House that the Government have proposals for nationalizing certain industries. Sir, I caution the Government that in nationalizing industries, especially basic industries, they will have to be guided by persons who know something about them. I wish to point out that the Government should not be guided merely by people who have a theoretical knowledge of industries and business in general, but that they should take into their confidence people who are associated with industries and commerce in coming to a decision on this point. After taking up office, this Government have been spending a lot of money on several good causes for the benefit of the people. It has not been possible for them to find enough money, as we find from the budget proposals that the Government are exploring new sources of income. Well, here is a source of income, provided they go in the proper way to revive or encourage industries through private enterprise. Government can co-operate with industries and render such help as may be required. I think the Government are not best fitted to run industrial concerns on a big scale, especially to the best advantage of the industry. The results produced by certain industries run under Government auspices are not encouraging, and I am sure the Government will take

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stock of the position before they commit themselves to any particular mode of action in this matter. Let not the Government take upon themselves this additional burden and responsibility which actually belong to industrial concerns. Private enterprise should be encouraged. As I have already said, Government can always co-operate with industries and render them all help, so that the country as a whole may be benefited, and at the same time Government need not take great risks in this matter.

“Coming next to the co-operative movement, I have just a few remarks to offer. The policy adopted by the Government regarding the co-operative movement is in the right direction. Of course, there is keen opposition from all sides regarding how it should be worked and how far the Government can extend the movement to different spheres of public utility. Having taken the step, I am sure that it will not be possible for the Government at this stage to go back upon what they have committed themselves to. There is no going back on the co-operative policy of the Government. At the same time, there may be some truth in the criticism of the merchants and the public against the movement. It is for the Government and the Co-operative Department to rectify the faults that may be found here and there. On the whole, I plead that Government should encourage co-operative organizations wherever possible and render them all possible help. The movement requires the help of Government especially in the matter of lending qualified officers from the department. I do not say that the co-operative organizations are always perfect and that there are no faults. If there are faults, it is for the Government and the Department to rectify them. On that account, the Government should not change their policy.

“With these words, I have great pleasure in supporting the budget.”

MR. PRESIDENT:—“I find most of the members are not anxious to speak to-day. They are anxious to speak only to-morrow. It looks as if there is practically no other work. If both sides of the House have no objection, I propose to take up the Bill at 3 o'clock. We will discuss the principle of the Bill till 5 o'clock and take up the amendments and the actual voting afterwards because I have adjourned the House to 5 o'clock for that purpose. I suppose the whole House is agreeable to this course.”

SRI N. RANGA REDDI:—“Mr. President, Sir, I should like to make a few observations on the budget.

“(Noticing a feeling of surprise in the House.) As the Hon. President said that there were no speakers for to-day, I thought I could fill the vacuum.”

MR. PRESIDENT:—“The hon. Member need not speak for my sake.”

SRI N. RANGA REDDI:—“It is not that way.”

(At this stage the division bell was rung, and some members returned to their seats.)

MR. PRESIDENT:—“Just before the members came in, I was announcing to the House that the budget discussion could not go on to-day because most of the members were anxious to speak

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only to-morrow. I propose to take up the discussion of the Bill at 3 o'clock instead of wasting time. We will discuss the principle of the Bill from 3 to 5 and take up the amendments and voting after 5 o'clock. What is the objection?"

SRI B. BHIMA RAO :—" Some members may come at 5 o'clock thinking that the Bill would come up at that hour. This contingency, I want to bring to your notice."

MR. PRESIDENT :—" If any member comes at five and wants to speak, he can speak."

THE HON. SRI K. BHASHYAM :—" In any deliberative assembly, the speaker tries to persuade others to his views. If the discussion proceeds in the absence of some members, I do not think it is proper."

K. UPPI SAHIB BAHADUR :—" Yesterday the Hon. President ruled that the Bill be taken up at 5 o'clock. So, I do not know whether it will be in order to change that."

MR. PRESIDENT :—" That is why I am putting it to the House. If the House thinks it objectionable, I have no objection to have the Bill at 5 o'clock."

" Mr. Ranga Reddi will now speak."

* SRI N. RANGA REDDI :—" Mr. President, I do not want to cover the whole ground that has been covered by the Hon. Premier, and I am not competent to speak on the various subjects that have been dealt with in the budget speech. I would like to confine most of my remarks to the district from which I come."

" First of all, I would like to make a few observations with regard to the food position in Cuddapah district. The Hon. Premier himself has said in his budget speech that the district has suffered from scanty rainfall and that crops have failed. That is one aspect of the problem. During the month of December, there was heavy rain and the two most important rivers in Rajampet taluk, the Kandleru and Cheyyar, came in such heavy floods that the lands on both the banks of the rivers were inundated, and a number of gardens were destroyed. The floods took a heavy toll of human life and property. Hon. Members of this House may be aware that through communication between Bombay and Madras was cut off for two weeks on account of railway lines having been washed away in Cuddapah district. I mention this only for the purpose of explaining the magnitude of the damage. I may submit that the taluk as a whole suffered loss to the extent of nearly a crore of rupees. The relief measures that have been taken so far are woefully inadequate. It is not only a question of immediate relief; it is a question of reconstructing the whole area that has been devastated by the floods. I have myself seen the area. The Hon. Sri Koti Reddi and the then Minister Sri Bakthavatsalam visited the flood-damaged area and saw with their own eyes the extent of damage caused by the floods. Thousands of acres have been destroyed, canals and irrigation sources have been damaged, and channels have been silted up. Therefore I submit that a lot of money will have to be set apart for reconstructing the area, and reclamation work also will have to be started. The work that has

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to be done cannot be undertaken by the ryots themselves, because the loss and the damage have been so great. Therefore I request the Government to take immediate steps for bringing the damaged lands back to cultivation, and also for repairing the tanks that have breached. Otherwise, there may be plenty of water in the taluk, but there will not be any land to cultivate and food to eat. This portion of the district suffered a very acute food shortage even in the previous year. Added to it, we have got this spectacle which, I submit Sir, is very unbearable.

" Therefore I submit that more foodgrains should be imported into this district, or grains should be sent to this district on a larger scale.

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" The next point that I would like to submit to the consideration of this Hon. House is the position of the agriculturist himself. Hon. Members are aware that, by what is called the policy of procurement, whatever foodgrains are produced by the peasant agriculturist are taken away no doubt by giving credit to the requirements of his own consumption and that of his family. I submit that the policy of rationing and the policy of procurement has been intended or even worked only with a view to benefit the townsman as against the villager. That has been my complaint from the very beginning of the introduction of the ration system. This rationing system was introduced during the time of the Advisers' regime and the very same principles which have been enunciated and worked out then are being continued to-day and being followed. It is not my complaint that anything that has been done by the Advisers' regime is not reasonable. I submit that some of the difficulties which are being experienced by the villagers should be lessened and remedied to a certain extent. I will give only one instance. Hon. Members of this House may be aware that people are divided into more than one class, rice-eaters, mixed eaters and millet eaters. I may submit there are some areas in the Cuddapah, Kurnool and Anantapur districts where rice is not grown and where people are rich and have been accustomed to eat rice for the last 25 or 30 years. Hon. Members also know what is statutory rationing and non-statutory rationing. Statutory rationing has been introduced in municipal areas and non-statutory rationing in almost all the villages. In non-statutory rationing areas they have all the disadvantages; advantages are all in statutory areas. I want to make out that in a statutory rationing area, where a person is classified as a rice-eater, he will get the quota he is entitled to get under the ration rules. In the case of a non-statutory rationing area, even if a person is classified as a rice-eater he will not get rice because the stocks of rice in the village ration shops are so scanty and all the available rice is being sent to the townsmen. This complaint has been made a number of times. I have made this complaint to the Hon. Minister. I have said that the Government themselves have classified these people as rice-eaters; you take all the grain by way of millets and you do not give them rice. If the Food Secretary was pleased to pass an order that the agriculturists who are accustomed to eat rice, could exchange their millets for rice, when this order was taken

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to the notice of the District Collector he says ' what can I do ; how can such an exchange take place under the present rules and regulation ? ' Next time I make an application in the same form to the authorities concerned. I get one kind of order and the Collector gets another kind of order. The Collector says when the village gets its full quota, you are allowed to exchange rice for millets through the local procuring agent. The stock in the local ration shop is inadequate. Where can I get rice from. My submission is an order is passed by the Food Department. The order is observed more in its breach than in its observance. If an agriculturist is asked to exchange rice for millets, he can do so at the beginning and not after the stocks are depleted. Though I made this complaint and though I have been agitating for the last eight or nine months, my complaint has been a cry in the wilderness. Now, Sir, the paddy harvest is over. I do not think that even if permission is given, the villager or the ryot who is accustomed to eat rice, will be able to take advantage of the rule.

" The next point I want to submit is with regard to the position of agriculturist. Time and again I have pleaded for improving the position of the agriculturist. The position of the agriculturist is rather a difficult one. I do not want to embarrass this Government by saying anything against the policy of the Government. What I beg to submit is that the agriculturist has taken so much pains to produce his grains and some benefit ought to be shown to him when his foodgrains are taken by the Government. Of course I am one of those who want these controls to be imposed. I am one of those who want these controls in the interest of the poor man. When the control is imposed and when the foodgrains are procured by the Government, is it the poor man that is benefited by the control ; the rich man benefits ; he does not pay anything ; he may pay differential rates. My suggestion regarding differential rates is not that it should be immediately accepted. I am only saying that the rich man should share this benefit along with the poor man and he has to pay something more.

" The second thing I want to say is that the agriculturist somehow or other is in an advantageous position now. This position has been brought about not by any one but by accident. It has been brought about by war and the circumstances that have been created by war are still continuing ; therefore he is able to do something to improve his own position. I do not pretend for a moment, nor anybody in this House or outside this House believes that the same set of conditions would prevail for all time to come. We know that peace and prosperity was enjoyed by the agriculturist between the years 1917-18 to 1922 ; afterwards there was depression. Every agriculturist has gone to the Court of Insolvency ; he has mortgaged his lands. I do not believe for a moment that the present prosperity will continue for a long time. The Government procured foodgrains from the agriculturist when he was in favourable position. I am saying that during times of depression the position of the agriculturist should be assured and that a minimum price should be assured to the agriculturist, so that he can eke

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out his existence. Otherwise he will continue to be in a bad position. No one has ever stated that the agriculturist has been pursuing or following a policy of profitable occupation. It is a hereditary one. Whether he is profited or not, he is bound to follow it, because no other avocation is open to him. Therefore he chooses to follow in the footsteps of his forefathers. I beg to submit that the position of the agriculturist should be improved.

"One more point is this; just as there is insurance on the lives of human beings, I should submit that this Government will be pleased to accept what is called Crop Insurance. There are both good and lean years. During lean years if the peasant suffers, let him have some sort of subsistence. Let him live. I suggest that some Crop Insurance legislation be inaugurated for the protection of agriculturist"

SRI B. NARAYANASWAMI NAYUDU:—"On a point of information; has the agriculturist to pay anything?"

SRI N. RANGA REDDI:—"He pays something like bonus."

"The next point that I beg to submit is with regard to the controlled articles that the agriculturist has been allowed to get, like groundnut cake, iron implements, etc. With regard to groundnut cake, the less said the better. No doubt all the cake is going underground."

MR. PRESIDENT:—"It is intended to go underground."

* SRI N. RANGA REDDI:—"It is not in that sense that I mean it. It has been a source of constant complaints that the cake does not reach the agriculturist; either production is insufficient or a large number of acreage is brought under cultivation. If figures are looked into I do not believe for a moment that a large quantity of acreage is brought under cultivation so as to reduce the quantity of groundnut cake. People were using groundnut cake for one purpose for his land; now they are trading in it and selling it in the black-market. The person who is rightly entitled to get it, does not get it. In a village where there are 500 or 400 houses only one pair of iron tyres is issued every month. It is said later than all iron implements have been supplied to him. I submit that the supply of the iron implements and groundnut cake to the agriculturist is inadequate. It does not at all meet the needs of the agriculturist. He is suffering very much. The Government have been taking his foodgrains, by some legislation some benefits ought to be conferred on him."

"Now Sir, the next point that I beg to submit is with regard to the question of weavers in my district. I am not here entering into or participating in the controversy about the Textile policy of the Government. I am only submitting that my district is populated by a number of weavers. According to the census taken of looms the number accepted by the Government is about 24,000. After the price of handloom cloth has gone up, many more people have taken to this profession."

"Sir, you will be surprised to learn that weaving which is not considered as a very respectable occupation in India (The Hon.

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Sri T. Prakasam : ' Question ' just as agriculture, is now being practised by some Brahmans in my district. The profession of weaving has become so attractive and the wages paid are so high that they do compare very favourably with those of any other wage-earners. It strikes me, Sir, that instead of becoming a Graduate of the Madras University and seeking for employment, it is much better to be a weaver.

" Now, Sir, as I said, the profession of weaving has become very attractive and therefore it needs very little argument on my part to urge that more yarn should be supplied, as more looms have come into being. I have addressed many meetings in my district and many weavers have attended those meetings. They say that the yarn supplied is quite inadequate. The Government themselves admit that the quantity of yarn supplied to the weavers would not engage them for more than 10 or 12 days in the month. They have therefore to be idle during the rest of the month. I therefore submit measures might be taken by the Government to supply the weavers with a larger quantity of yarn. I may also submit that the quantity and quality of yarn fixed for the districts is not supplied to the district. Rarely has the rule regarding quotas of yarn to be supplied been honoured. Either the quantity is less or the quality is less. In both these directions, these weavers have suffered and they have asked me to make a representation to the Government that their supply of yarn should not be reduced.

" Now, Sir, I should like to make one or two observations with regard to the educational facilities in my district. Even at the risk of being accused of being too parochial and too narrow, I want to ventilate my grievances and in doing that, I have at my back the support of all the people of my district. I submit, Sir, that Cuddapah and Kurnool districts are suffering for want of collegiate education. There is no Arts College either in Cuddapah or in Kurnool, and I do not think that there is any other district in the Presidency which has not got a college. Almost every district in the Presidency other than these two, is blessed with an institution, whether it is an Arts College, or a Law College or an Engineering College or a Medical College. But ours is a backward area and though many things are promised, few are being given effect to. Let me not be misunderstood when I say that. I am only asking that more educational facilities should given to these backward areas; otherwise the injustice that has been done to these backward areas for no fault of theirs, will be perpetuated for all times to come. New principles have been enunciated and new standards have been fixed for saying that Cuddapah and Kurnool and some other backward areas are not fit to have colleges, but I submit, Sir, that unless outside help is given, we can never improve either mentally, physically or economically.

" Sir, with regard to the admission of students to the Medical and Engineering Colleges, I wish to say one thing; and that is that the principle of insisting that 20 per cent of seats should be reserved for students on merit, should be done away with. If that were so

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I would suggest that these seats should not be distributed on a linguistic basis. Now, roughly about 50 per cent is given to Tamilians, 40 per cent to the Telugus and the remaining 10 per cent is given to the West Coast pupils. Why should these seats be distributed on a linguistic basis and why not all these be reserved for the best men from whatever part of the Presidency they might come? The question of language will not stand in the way. Let us make it compulsory that students should also learn a second language just like the rule that some of the gazetted officers should know not only their own vernaculars, but also another language so that their services might be available for other areas. What I therefore submit is, that we should see that all other sections of people inhabiting this Presidency get their due share of seats in the colleges and not the best alone. A certain percentage of the seats in the Engineering and Medical Colleges should be reserved on the population basis. I think, Sir, that my request in this respect is very reasonable. Sir, if the principle of merit alone is to be adopted, then where is the chance for the boys of the Rayalaseema? It was only last year that a college was started in Bellary. Unless we get some seats in the Arts Colleges, our boys will have no chance of getting high marks. Boys from Rayalaseema, when they apply for seats in the Medical Colleges, are told that they have not got first-class marks and hence they would not get admission. Sir, I am not referring to Medical Colleges alone in respect of the difficulty of admission, but it is the case in other colleges also.

“ Sir, doctors who practice in our parts cannot command any great fees. People from the south and north who take up to medical education, if they do not enter Government service, go and practice in their own districts. Therefore, our district is suffering from want of medical aid. Let me mention, Sir, that the number of medical institutions in our district is very small. We are not able to get doctors from other areas, as people there are very poor. Where there is poverty, there is sickness, and as we are poor, we are suffering. Therefore, Sir, I submit that by this policy of insisting first-class marks for admission to Medical Colleges, we are having very few doctors in our district and we are thus denied of medical aid. The Bhore Committee has also recommended that Medical Colleges should be started in either Anantapur or Bellary. If such a college is opened, there may not be any difficulty. But if the principle of a first-class is insisted before opening of the college then few boys from our district will have no chance of admission.

“ Sir, let me submit that this is an appeal which is made not in the interests of the backward areas alone, but it is also in the interests of the Presidency as a whole. Otherwise, it will be a hindrance; it will be a drawback. There will be perpetual bickerings and perpetual conflicts between district and district. If you want to improve backward areas, then I submit, Sir, we must have some reservation of seats for our boys in the Arts colleges, so that they may have reasonable chances of getting seats in the Medical College.

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“ Sir, let me now take up the question of Technical education. Technical education is very good and very important. I would rather have more Technical Colleges than Arts Colleges. Sir, if you simply multiply these Technical Colleges without providing them necessary equipments, then the efficiency of the colleges will suffer and the boys that are trained in such colleges may not be of much use. I have not inspected any of the Technical Colleges, but from the little experience that I have had of them and from the conversations that I had from some of the professors of those colleges, I can say that the general complaint is that they are being started without necessary equipments.”

MR. PRESIDENT :—“ If the hon. Member is likely to finish his speech in another five or ten minutes, we can continue to sit till then. Otherwise, we may adjourn now.”

SRI N. RANGA REDDI :—“ Sir, I shall try to finish in another 15 minutes.”

MR. PRESIDENT :—“ The hon. Member may continue his speech after lunch.”

“ I have to make this announcement to the House. Since the procedure of taking up the Bill at 3 p.m. is felt to be irregular, I do not want to take it at 3 p.m. But I should like to know whether there are any hon. Members who are prepared to speak between 3 and 5 p.m. If there are not many speakers, we shall adjourn till 5 p.m. to discuss the Bill.

(Voices of ‘ I propose to speak in the afternoon, Sir,’ from some Members.)

“ Then we shall meet again at 3 p.m. Mr. Ranga Reddi will continue his speech after lunch.”

(After lunch—3 p.m.)

The Deputy President occupied the Chair.

* SRI N. RANGA REDDI :—“ Mr. Deputy President, Sir, I was just mentioning about the futility of increasing the number of Technical Colleges without providing sufficient equipment for them. I would suggest another alternative for giving technical education to the students and it is this; there should not be any difficulty in working a three-shift system. There could possibly be three shifts, and if that is worked, I submit it will be equal to working three colleges. I do not know, Sir, whether this proposal has been considered; I believe it has been considered. No doubt objections may come from the administrative side; but I submit, Sir, those objections can be easily met.

“ In this connection, Sir, I would like to refer to the salaries of the teachers. The Cabinet Sub-Committee has recently made its report in which the salaries of the teachers have been considered and revised. A number of meetings have been held throughout the Presidency protesting against the inadequate increase of the salaries of these teachers. These protests are quite reasonable. The one thing I would submit is that objections to the Salaries Committee report come not only from the teachers but

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also from various other persons whose salaries also have been increased or have not been sufficiently increased. The whole trouble arises this way: the committee has not gone into the question of analysing or grading these services. First of all, we have got the Central Government's services over which we have no power at all; then we have the Provincial Government's services, and then comes the Local and municipal services. Unfortunately, although these Governments are different the persons who are employed in these various services come very often from one and the same family or one and the same place. When they find that a person serving in the Central Government is getting more salary for doing the same work, naturally it creates heart-burning and discontent. Look at the salary of the postman for instance and of the railwayman, who probably do the same service as clerks in the Provincial and municipal services. They both do the same kind of service, but they are getting more pay. It is in this way that discontent and dissatisfaction increases among the service people. I submit that this question should once for all be considered by having a Pay Commission in which all these services, having regard to the kind of work they are doing, can be graded and their pay once for all fixed. Otherwise, this discontent is bound to continue.

"I would also like, Sir, to make a few observations with regard to the department of Highways. It is said, Sir, by many that the size of the earth is shrinking in size on account of the many inventions that have taken place; but so far as Cuddapah district is concerned, I submit, there is no shrinking at all. We remain as we were; our unbridged rivers still remain as they were and we are getting all the disadvantages without getting whatever advantages others are getting. There is the very big river Pennar that flows through the Cuddapah district, its waters are beneficial to other districts, but not to our district. When floods come, traffic is at a standstill for a number of days. This Pennar cuts right across and it makes traffic impossible during the rainy season for a number of days, and we are not able to cross the river. We have only a causeway now; some years ago, some engineering experts seem to have said that when gaugings were taken at some time and that under those conditions a bridge was not justifiable and it was not necessary. I submit these gaugings do sometimes give a wrong reading. I have myself known personally that it is impossible to cross the river for a week continuously, then it is possible to cross for about an hour or so and then again the flood increases. In this way the difficulty continues or has continued for more than a month and still the engineering department or whoever else may be responsible, feels that a bridge is not necessary. I do not know where else a bridge is necessary if it is not here. I submit, Sir, that a bridge at Chennai or at some other place convenient, for the Pennar is absolutely necessary to facilitate traffic.

"Now, I shall refer to the policy of the Government that is pursued with regard to irrigation. It is true that on account of the paucity of irrigation schemes or on account of some difficulties,

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the question of return has been removed or abolished so far as irrigation schemes in the Ceded Districts are concerned. During the last Congress Government, irrigation schemes which fetched about three per cent in the Ceded Districts were taken up and executed. The present Government have no doubt done away with the question of return and if any irrigation scheme in that district is likely to benefit a good number of people, it will certainly be taken up. But the whole trouble arises this way: if no return is fixed at all, it will be largely left to the discretion of the technical man or the Engineer or the Hon. Minister who presides over the Irrigation Department; it will be left to him either to accept the scheme or to reject it. Therefore, Sir, I suggest that when any scheme is taken up for consideration, the Hon. Minister should consult the local representatives of the district and then decide whether that scheme ought to be taken up or not. Otherwise, great injustice and hardship will be caused to the backward areas.

“ Sir, I have taken much of the time of the House, but I should be pardoned, because mine is a backward district and unless some help comes forth from outside, it is impossible to improve or better the condition of the district. I submit, Sir, that some special facilities should be given to the people of my district for improving their conditions.”

* DR. V. K. JOHN :—“ Mr. Deputy President, Sir, I am one of those who have a constitutional disability in speaking something which they do not feel to be true. Frankly speaking, Sir, I cannot congratulate the Hon. Premier on the Budget, although out of courtesy some people believe he should be congratulated on it.

“ Sir, before I speak on the merits of this Budget, I should like to say, and I should like to express my regret it was not done—that the introduction of this Budget and the discussion on it could have been postponed to a date when the present tangle in the Ministry is solved, so that we might know who are the persons who would be responsible for carrying out the ideas and the policies contained in the Budget, and so that they might take note of the humble suggestions which members of this House may make. I now feel, Sir, we are asked to speak on this Budget not knowing who the Ministers would be when this discussion is finished.

“ Sir, I am inclined to think that it would be advantageous to have a fixed time for the Ministers, so that they may, instead of spending very much time in the effort of keeping their posts, can spend their time more fully on administration and bring forward well-conceived measures before the House. Well, Sir, we have been asked to speak on the Budget, and we do. As I said, I cannot congratulate the Premier on this Budget. If the Premier is pursuing his policy of spending large sums of money on socio-political experiments and goes on drawing money from the Reserve built up for some other purpose, I am afraid this Province will soon go into bankruptcy. There are many socio-political experiments which consume large sums of money; one of them is the

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khadder policy. We are not all of us against khadder; I am not against the individual taste of a person who likes to wear khadder; who may spin himself; but at the same time, we must not forget this; that at a time when goods were dumped into this country from Lancashire and Manchester and other foreign countries, when our mills could not be encouraged and could not compete successfully with mills in other countries, Mahatma Gandhi and others thought it right to concentrate their attention on khadder and in a way, if it be possible to do so, to boycott foreign cloth. But to-day, Sir, we are going to be independent, if not already independent, and in an industry where machinery has come to stay, surely we cannot now go back hundreds of years to the time when machinery was not introduced. Sir, I need hardly say it is impossible to produce motor cars and aeroplanes by hand. We must take advantage of the inventions that have been made.

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“ So, Sir, in the production of cloth, machinery has come to stay for the advantages of the public. You have to pay three times the value for khadder, which is not so durable nor so attractive. (Sri K. Madhava Menon: Question.) I am not questioning whether khadder is more durable than mill cloth or not; but, if you go to the market, you have only to pay for the mill cloth only one-third of what you have to pay for khadder. That is why machinery has come to stay. We have a popular Government in this country and should not we take advantage of the machinery for producing the cloth, instead of khadder for which we have to pay three times? Khadder, is not, in my opinion, Sir, as durable as the mill-made cloth. Certainly it is not as fine as the mill-made cloth. Sir, there is an objection that a few capitalists are producing the mill cloth and therefore, they should not be encouraged. Last time, Sir, I pleaded for village republics and to allow the persons in the industry to have the profit made in for producing cloth. Instead of that, crores and crores of rupees are being wasted—I say, deliberately wasted—on this socio-political idea of producing khadder. I say it is public waste of money which is contributed by both people who believe in khadder and who do not believe in khadder.

“ Next, Sir, I come to the producer-cum-consumer co-operative societies. This policy, Sir, which is pursued by this Government surely enable them to find jobs for many dependents of theirs. It was said the other day in the Assembly—and I find the Hon. the Premier is in smiles to-day and he will not get angry, if I repeat it—that in four districts in Andhradesa, out of hundred secretaries appointed to these societies, ninety of them are Brahmans.”

THE HON. SRI T. PRAKASAM :—“ It is wrong; it is not true.”

* DR. V. K. JOHN :—“ I take it, Sir, we have gone a very long way from the non-Brahman movement. I can assure you that I am against communalism in any shape or form. I hope and wish that the non-Brahman movement is not resuscitated again. Sir, the other day, a complaint was made in the other

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House on this and the Hon. the Premier, I understand, has given an assurance. I am very happy to hear it. But, Sir, I am told that the Public Service Commission are having a holiday to-day and that hundreds and thousands of posts have been created by the Government on account of the various policies adopted by them and one of them is the formation of these co-operative societies. Sir, jobs have been given to a large number of persons without any reference whatsoever to the Public Service Commission. I suggest that the Ministers, instead of concentrating their attention on the administration of matters like this, should leave to the Public Service Commission the work of filling up these appointments, whether they are temporary or not. It would be a very great advantage because it will concede the right of the Public Service Commission in the matter of appointments and, at the same time, it will give an opportunity to persons at the head of the administration to concentrate their attention on the administration.

“ Sir, now I find the Transport Minister here, I may at once refer to the policy adopted by this Government in regard to the nationalization of transport. This is another policy on which this Government is spending a very large sum of money. I find, Sir, that Government are entering this business; Government servants are the last persons who ought to enter into business because they always lose. The members of the learned professions ought not also to take to this business. Government servants have not got the experience in the line, they have not got the business acumen which will make a commercial undertaking a success. Sir, I ask Government in taking up these commercial undertakings to go slow and they get the assistance, the knowledge, the experience and the wisdom of persons who have carried on the commercial undertakings. They should also associate such persons already in the business before leaping into the dark. Now, Sir, I see that the Hon. the Minister for Motor Transport smiling here and all the Hon. Ministers are smiling and I am also smiling. . .”

THE HON. SRI K. BHASHYAM :—“ Happy all round.”

* DR. V. K. JOHN :—“ Now, Sir, the Hon. the Minister for Transport is keen in taking over the transport services. Before he did so, I want him to read the provisions in the Motor Transport Act of 1939. Sir, that Act invested the transport authorities who are a quasi-judicial bodies with power to exercise various powers and discretions on various matters under various sections of the Act. The Hon. the Minister is issuing instructions asking these transport authorities not to pay heed to the provisions of this Act but to carry out his orders. Though the transport authorities are quasi-judicial bodies, they can never carry out an order which says that permits should not be given except for a temporary period. Sir, section 62 of the Motor Transport Act of 1939 says that temporary permits may be given for temporary purposes such as marriages, etc. Section 58 of the Act says that every permit granted, except the temporary permits under section 62, must be tenable for three years. The Hon. the Minister

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for Motor Transport in the teeth of section 58 of the Motor Transport Act, has ordered that every permit should be temporary for a certain period and ought not to be valid for three years. This is an attempt to ride rough-shod over the mandatory provisions of the Act, and also, as I said yesterday, to get rid of the courts of law because they distrust the courts. I want the Government not to issue instructions to the Transport authorities because as a quasi-judicial body, they are entitled to exercise their discretion. They should also see that permits to run buses or other transport vehicles are given only to such persons who have the ability to run the business and manage it well. Sir, the real fact is that a number of people and I regret to say that a few of the members of the Legislature also are giving trouble to the Ministers. They ask that vehicles which are with their relations, should be run as transport vehicles so that they could make plenty of money. I may refer to one instance. In 1939, the Congress Ministry thought that the Kodaikanal Ghat Road—over which I pass very often and therefore interested—is not fit for competitive operation. There were fifteen operators on that road. The Government asked them by a letter to combine; and the Government gave an undertaking that they will not give a permit to anybody else. They combined but later on, the Government gave some temporary permits. In 1946 the Hon. Sri Prakasam went into the whole question and passed orders to the effect; that is the considered opinion of the Government that there should not be any competition on the cart road and nobody else should be given a permit. I have found that somebody related to an M.L.A. asked for a bus and a permit for a bus was given to him. I am simply saying this to show that Members of the Legislatures should not ask for any favour from the Government; they should know that they are the representatives of the people and that they should not embarrass the Ministers by asking for favours. Therefore, I say on the floor of this House that no Member of the Legislature should ever approach a Minister for a favour for himself or for anybody else; on the other hand, they should allow the Ministers a free hand and should allow them to use their judgments. When intimate friends put pressure on the Ministers, it becomes very difficult and it is embarrassing. I know something about this and so I am making this statement. I am not making any charge against any Minister. I say they are put in a very awkward position, a very embarrassing position, if members go and bring pressure upon them either for permits for transport services or for anything else. The representatives of the people elected to the Legislature should not exploit their position. They should be very careful in approaching Ministers and should not embarrass them. You must allow them to carry on the administration of the country. If this is done, Sir, hours and hours of the Ministers' time could be spared from interviews and they could devote this time to solving many administrative problems.

“ Now, Sir, I say that this policy of nationalization of the transport services and encouraging commercial undertakings should be taken up slowly. I suggest to the Hon. Minister for

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Transport that there is one way of encouraging commercial undertakings and that is by associating people previously engaged in such undertakings. This method will enable the Government to get the experience of those people. I suggest that Government should enter into these commercial undertakings through companies incorporated under the Indian Companies Act. I know the Company Law fairly well and I say that nothing prevents for a provision in the Articles of Association of a Company that the majority of directors will be persons appointed by the Government themselves. Government may also hold one share; even if they do not hold any share, they can always control these companies. Government are always interested in the welfare of the public. I am satisfied that the Hon. Sri R. Raghava Menon has always at heart the welfare of the travelling public and their needs. He has told me that he is not interested in the capitalists who run the transport services but that he is interested in catering to the needs of the public and not in filling the pockets of a few.

" So, Sir, Government might incorporate these companies under the Indian Companies Act, and on the Board of Directors to be appointed by them, they should associate persons who have intimate knowledge and great experience in such commercial undertakings. Government must be able to do great service to the public and though they may not find the capital for it as there is plenty of capital in the country and even if the Government say that the dividend will not be more than 5 per cent, there will be people willing to invest money so that you will have plenty of capital from others. As a matter of fact, if investors find that Government are in it and if they find that people with experience in the line are also in it, surely they will take shares in the company. If at any time Government felt that this undertaking is better done by others, they can sell their shares and realize the money which they have invested in such companies. If they really want to engage themselves in any commercial undertaking, they should go slow, because I repeat that Government officers, whether they are retired people or in service, are least fitted to carry on, by their training, by their outlook, by their habits, any commercial undertaking. 3-30 p.m.

" Now, Sir, I was on the various schemes which they propose undertaking according to the Budget speech of the Hon. the Prime Minister. I suggest that the best method of procedure is this. Lay down a plan for five years and let us have some principles which will be based on that plan and I suggest that we take steps to create a class-less and caste-less society. I am glad that Government is doing a good deal in that direction and let everything the Government does be directed towards the creation of a class-less and caste-less society and not to put any impediment on the creation of that society.

" Then, Sir, Government should plan, in my opinion, during these five years, to introduce compulsory secondary education. I do not say compulsory primary education, because after leaving primary school, a person often lapses into illiteracy. Therefore,

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Sir, we should have compulsory secondary education and I should say that Government should plan not only for compulsory secondary education but also for free university education.

" Now, Sir, it is atrocious that when we have a National Government, thousands and thousands of students should be at the doors of various colleges and cannot get admission. I do not see why we should have big buildings to accommodate the students reading in the schools and colleges. It may be in the open, it may be in sheds, but the primary need is that a man wanting to have higher education should be afforded facilities and most of us and I may say, almost every one of us has had the benefits of higher education feel that it would be atrocious and I think it is even criminal, that Government should send him away. Let not one boy or one girl wanting to go for higher studies be told that there is no room that I think is most atrocious; it is criminal. Let us therefore concentrate on a plan under which we have compulsory secondary education and university education free for every boy and every girl wanting to go up to the university stage.

" Then, Sir, we must also make provision for medical assistance for all. Beyond all this, Sir, it is the duty of the Government, of a National Government, to provide for the minimum of material comforts for every man born in society. Sir, this can be achieved only by a revolution in the economic structure of our society and by converting that economic structure from one of competition and exploitation as it is to-day to one of co-operation and service. It may take time, Sir, to create that economic structure of society, but I say, a plan must be prepared by Government for converting that economic structure of the society based on competition and exploitation into one of co-operation and service. I suggest to the Hon. the Premier, that he first gets compiled a list of unemployed persons in this province. Sir, in all civilized countries, Government wants to find out how many people are unemployed. Last time during the Budget discussion I requested the Hon. the Prime Minister to concentrate his attention on unemployment. Unemployment and under-paid employment are responsible for this economic unrest and there is no use saying that a certain number of persons are converting the labourers into the communist way of thought, that they are addicted to violence and therefore they must have to be controlled and a measure is now being considered by this Council. In following a policy of reconstructing the economic structure of the society, Government should first deal with the unemployment problem and when it deals with unemployment, the first thing is to find out, how many are unemployed. Then, Sir, after finding out, how many are unemployed, they should devise methods to get these men employed.

" Again, Sir, I come to the policy of the Government not to industrialize this country. Particularly against the great industry, the textile industry, they have put their face. I say, you cannot solve the problem of unemployment, unless you attend yourself to production and manufacture and the industrialization of this province, whether it is the textile industry or any other industry.

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This province must be ambitious of being the best industrialized country in the world, or part of the country in the world and we must have the ambition that Madras is the most industrialized of all the provinces in India. We must also have the ambition and we must compete with America and Britain. The Government should therefore plan and should promote the industries and if the Government cannot run such industries, they must encourage people who are engaged in industries, so that the unemployment problem may be solved. This Government must concentrate their attention on under-paid employment. In this matter the Government must first set an example. Let there not be one person employed by Government who does not draw a pay which will give him the minimum standard of life. I say, there should not be, in my opinion, one Government servant, even he be a coolie or a peon, who does not get at least Rs. 50 a month. So, Sir, Government must first set an example of solving the problem of under-paid employment. I say, Sir, if the Government does not set such an example, how can they ask the industrial concerns, commercial bodies and private persons that they must pay labour better. It is therefore, Sir, I say that Government should set an example by paying the employees of the Government a living wage and then ask others to pay their employees a similar living wage.

“ Then, Sir, there is one criticism which I want to make against the Government's policy, which has been followed in the past and which apparently is being followed to-day and I am sure will be followed to-morrow also. The Government do not give sufficient encouragement to local bodies. In my opinion Government should give sources of revenue to local bodies. Some of the taxes which the Hon. the Prime Minister mentioned in his speech should go to local bodies. I may refer to the entertainment tax. I say the whole of the tax ought to go to the Corporation of Madras, and other local bodies. They are unable to do anything to-day either for the social amelioration or for any other thing for the people under their charge. I say, encourage the local bodies, give them sources of revenue and train them for local administration and see that they attend to the needs of the people within their jurisdiction. Every time the local bodies, municipal councils and even the Corporation of Madras, ask for loan and assistance from the Government, it is given with great reluctance and when 10 lakhs are asked for, only one lakh is given and that too not in time, with the result, these bodies have not got sufficient finance to attend to their schemes. I say, the Government is not assisting them with sufficient funds.

“ Now, Sir, after having said this. I should refer to one other thing which is uppermost in my mind and that is why Government should tax the poor. I am not one of those who think that a person drinking some alcohol has committed a sin. I am a perfect teetotaler myself but I do not see why any person should not drink a little toddy or any other beverage. I do not, of course, support prohibition from that point of view, but I say, Sir, that it is a sin to collect large amounts from the poor. • Sir, the average expenditure of this province in the past was 30 crores and the year

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before last we raised 16 crores from the abkari revenue. Now this 16 crores, or half the revenue which is intended for the expenditure of the province, is collected from the poor. From that point of view, prohibition should have been introduced in the whole province; not so much for prohibiting people from drink but prohibition should have been introduced for the purpose of not collecting any taxes from the poor wage-earner. A man earning 12 annas or a rupee per day is asked to pay a substantial portion of his wages to the Government in the shape of a tax which I say is sinful, because in carrying on the Government of the country, we are collecting from the poor, perhaps from 5 to 10 per cent of the population half the revenue of the Province. I say, Sir, from the point of view, whether it is clubbed with prohibition or not, we must not tax the poor. We should only tax the rich and not tax the poor as we are doing to-day. I regret to find that in introducing new taxes, there is no increment in the sales tax which the richer classes pay, except on petrol, most of which might go on the travelling public, because petrol is mostly consumed by transport services.

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"Sir, the Prime Minister should have raised revenues from the rich and one of the ways to do it would have been to raise the rate of the Sales Tax which he has not done and one cannot understand why he did not do it, why he who has so much suffered as very few people have suffered in the cause of the freedom of this country and in the cause of the poor, should still collect a very large sum of money, a very substantial sum of money from the poor. Prohibition could have been introduced much earlier than now and whatever the loss on that account could have been made good by other taxes, particularly by the Sales Tax. Now, Sir, I ask the Government to have a definite policy laid down for five years and I ask them not to have that policy merely drawn up by their secretaries and taken to them in their Chambers. I ask that policy to be discussed in both the Houses, in this as well as the Lower House. Let us discuss the five-year policy, let us discuss which revenues are to be raised for the measures to be taken up in that five years and let the press discuss and the public discuss it and after discussing and the Government after getting all the suggestions decide finally what should be their policy and their programme, how to find the revenue and what schemes should be taken up. It does not appear we have any policy at all, except that large sums of moneys meant for post-war development schemes has been taken out and spent not for any post-war development but for carrying out schemes based on socio-political idealogies.

"Then, Sir, with regard to spending money for Harijans. I might state let that money not be spent for a particular class of people. Let the money be spent for the poor, to whatever class or community they may belong. It may be, Sir, that a poor Brahman would require help and let it not be denied because it is money paid by people to the State. Let us make no distinction between Harijans and non-Harijans. I say this because a large number of Harijans are converted, perhaps

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unwisely, to Christianity or to Mohammedanism. Now, Sir, as I said once before personally I am against this kind of proselytization. It may be a man is converted because he believes in a particular religion or he believes that some economic advantage will come to him. Now when we spend crores of money on Harijans, on people who belonged to Hinduism and Hindu society, we are doing injury to poor persons who out of ignorance might have been converted from that community and brought into another community. Sir, why should they suffer while their economic and social position is the same and why should not this fund be utilized for upliftment of poor as a whole? Therefore, I say that money which is spent for the upliftment of the so-called Harijans be money spent for the upliftment of the poor and perhaps 95 per cent of the persons who will be benefited by that money will be Harijans, will be Scheduled Castes or whatever you might call them, but Sir, let us not make any distinction between persons on the ground of religion or of community. I say this because I find great dissatisfaction among persons who have been converted to Christianity that they are not cared for by this Government and they feel that this is a Hindu Government and therefore they care more for Harijans proper, a section of the Hindu community and not for Christians who have been converted by somebody else from that community and they feel aggrieved. If we have to carry on the Government of this country peacefully and if we have to abolish communalism from public life, let us not discriminate a class of people from somebody else although the first class is in the same economic and the same social position. After all, it makes very little difference to give the benefit of the Harijan funds to Harijans who had been converted to Muslim or the Christian faith from the point of view of assistance but it does make a very great difference in creating an atmosphere of communal amity, a feeling that there is no discrimination against a man because he has changed his religion. Sir, religion is a matter for the individual. He might have changed his religion for some cause or the other. Do not make a discrimination on that score. I thank you very much for the patience with which you have heard me."

* SRI RAO BAHADUR D. KRISHNAMURTI :—" The Budget presented by the Hon. the Prime Minister is very unsatisfactory. It is very regrettable. It is a jugglery in facts and figures and nothing can be said about it in praise. A closing balance of 39 lakhs is shown by withdrawing from the Revenue Reserve Fund a sum of Rs. 205 lakhs. But for this there would have been deficit of about 245 lakhs. When this Government came into power about 7 months ago they had at their disposal a sum of Rs. 31,44,87,000 as assets of the fund including cash balance. This was reduced to Rs. 23,75,22,000. In the Revised Budget this year, it has further been reduced to Rs. 22,94,96,000. This closing balance is maintained on the calculation that the agricultural income-tax would yield a crore of rupees which is a doubtful fact. From incomes from other sources, namely, the motor spirits tax, entertainment tax and betting tax they are able to balance the Budget. By the introduction of a policy of prohibition Government have lost

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about Rs. 10,33,00,000. This huge loss has to be supplemented by some way or the other. There are two courses open to the Government either to levy fresh taxes or to raise fresh loans to balance the Budget. In addition to this they have got their favourite schemes of khadder and Harijan uplift which would consume about 4 crores of rupees. So, fortunately or unfortunately, the Government is in a very precarious position and as such they are obliged out of sheer necessity to not to pay much attention to nation-building enterprises and amenities connected with elementary fundamental necessities of the people. Pandit Jawaharlal Nehru the other day when making a broadcast observed that food, clothing, public health and sanitation and education should always have first priorities in any scheme of Government. Now by resorting to the enforcement of a policy of total prohibition rightly or wrongly the Government have been obliged to lose a revenue of Rs. 10½ crores and therefore they are obliged to manipulate the figures and present a budget on paper showing a closing balance of Rs. 39 lakhs. It is neither an edifying picture nor honest statistics. Let me take item by item. Let me refer to the provision that has been made with regard to education. Free compulsory and primary education should be given to the people of this country. It has been the topic for years and years in Congress programme. The late lamented Gokhale first introduced a scheme of free compulsory primary education. Even when the popular Governments are in power the scheme is not implemented particularly when we have only 17 per cent males and 3 per cent females who are educated, in this Province. When we compare this figure with a sister Native State beyond the Western Ghats, the Travancore State, education of males is 41 per cent and of females 17 per cent. What has the Madras Government done to increase the percentage of education or put down illiteracy, in the current Budget."

SRI C. N. MUTHURANGA MUDALIYAR:—"You should have to ask the bureaucratic Government for this."

SRI RAO BAHADUR D. KRISHNAMURTI:—"What steps have the present Government taken to increase the percentage of education? What steps are being taken to introduce free compulsory elementary education in this Province in the current Budget? Provision has been made in the Budget Estimate for 1947-48 for extending the scheme of compulsory primary education to some more villages in each district so as to bring additional 1½ lakhs of students under instruction. The estimated expenditure on this expansion scheme for 1947-48 is Rs. 13½ lakhs. We have got 23 districts and 13½ lakhs of rupees is the amount that has to be spent for free compulsory primary elementary education by a progressive Government calling themselves national. Then, Sir, the Prime Minister in order to balance the Budget has stopped giving mid-day meals for children in schools. It is stated in page 12 of the Budget Memorandum—

"The Government have decided that the provision of free midday meals contemplated in the scheme for extension of compulsory elementary education should be omitted and that such provision now allowed in areas where compulsory elementary education has already been introduced should also be discontinued not later than the beginning of the next financial year."

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" This is the progress which is being made by starving the poor children by cancelling the midday meal. The next item on the Budget to which I desire to draw the attention of the House is clothing. The Government have been wedded to a particular scheme, namely, promotion of khadi. They have been spending a large sum of money for the promotion and distribution of khadi. The Prime Minister is very enthusiastic over this and has placed before him an ideal to be attained by which he is going ultimately to supply about 20 yards per adult and 10 yards per child for each year.

" Well, Sir, if it were a free supply nobody will grudge; but the purchase is to be made by the consumer and he has to pay a price for it. It is a well-known fact that khadi is very costly, at least it is double the price of handloom cloth and treble the price of mill cloth. Has the Prime Minister taken any steps to increase the purchasing capacity of the people? Only the other day, I went to a khadder shop and purchased a pair of dhoties which I am still wearing; the price is twice that of the mill-made cloth and khadder costs three times the price of mill cloth. I wish to ask what is it that has been done by the Hon. Prime Minister to increase the purchasing power of the general consumer. I agree that khadi is very good; it is a very noble ideal to clothe everyone through hand-spun and hand-woven cloth. But there is an important matter to be borne in mind. When we are advocating that khadder should be worn, we must see that it is sold cheap so that it might be within the reach of the ordinary consumer and he might purchase it and wear it."

SRI C. N. MUTHURANGA MUDALIYAR:—" Spin and you will get cheap khadder."

* SRI RAO BAAADUR D. KRISHNAMURTI:—" But there is the question of choice of enterprises from the standpoint of income. If a person is idle or has no occupation, spinning might be recommended to him as he would be able to earn a few annas. But I ask if it is prudent economy to induce a person who feels that for working the same number of hours, he can earn more, to take spinning. The earning that he derives by spinning can under no circumstances exceed eight to twelve annas a day. Do you think it is wise to enforce a policy and programme of this type and to set apart three crores of rupees for this purpose? I feel it is a desperate policy and a day will come when this Government will become bankrupt and the Prime Minister has already envisaged this contingency. He has stated in paragraph 54 that Government contemplate raising a loan in the open market next year to finance capital outlay and new loans and advances. The future is already visualized. The Government after consuming the amount of 20 and odd crores, now available under savings and if still they go on consuming savings on other items, Government will be obliged either to raise a loan or to borrow from the Central Government. They will be obliged to do so as they continue to disregard the important items of expenditure like education, sanitation, public health, industrialization, etc., which are the

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primary charges on the revenues of the state. Has the Government tried to solve the question of unemployment? They are introducing prohibition from district to district and a large number of tappers who were depending upon tapping for their livelihood are thrown out of work. What is the alternative programme that is placed before them for their employment? You are going on with the scheme of prohibition without providing adequate scope for employment for those who were mainly depending for their livelihood on tapping. All attempts at trying to solve this deadlock of unemployment are welcome. But there is no provision made for that in the Budget. The question is whether Government would adequately solve the problem for the people affected. The statement, that spinning would help them, I fear, has been made in order to satisfy a sentiment or a particular kind of feeling that khadder alone will save the country though it is the most uneconomic enterprise. This Government is rightly or wrongly opposed to industrialization. They forget that there are only two ways by which the national wealth of a country could be augmented. Either it should be by bringing under cultivation large tracts of land, by growing more food or by industrializing the Province and locating large-scale industries in areas which are found to be suitable for the growth of such industries. It is only then that we can increase the purchasing power of the people. Markets of Straits Settlements, Borneo, Java and other places are open to India on account of the collapse of Japan. As a matter of fact large quantities of textile goods and hand-woven cloth can be sent to those countries. I remember an important statesman in Northern India has observed that this is the most psychological and critical period for the textile industry to capture foreign markets by exporting large quantities of cloth so that in exchange we can have foodstuffs. Is this not the time and is it not the duty of the Government to take advantage of the situation created by the collapse of Japan and step into her place and supply cotton goods. This can only be done by industrializing the Province. Instead of that, the Government sticks on to a policy of khadder and khadder alone, and do not think of industrialization. Unless and until you increase the purchasing capacity of the people and increase the national wealth, it is not possible for the consumers to go in for goods and to pay large sums by way of taxes for the benefit of the State. I wish to ask, Sir, what is the provision made in the Budget for sanitation and public health. It may be remembered that last year my hon. friend Sir Lakshmanaswami Mudaliyar also made very emphatic appeal that the death-rate in the country is appalling, that the average life of a person in this country is about 27 as against 63 in England (Sir A. Lakshmanaswami Mudaliyar: I was not emphatic but only persuasive), that we have got one doctor for every eight thousand of the population and about 167 children per thousand die every year in infancy and that we have not got sufficient number of beds in hospitals. With regard to this, may I ask the Government to enlighten this House as to what is it that the Government are doing in the current year? What have they done to stem the tide of this appalling

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death-rate and to improve the national health? What is the amount that has been budgeted for in this year? How much do you intend to spend this year? The very healthy existence of the people depends upon the monies that you set apart for attending to their health. An argument is advanced that prohibition is introduced for improving the health of the people. It is primarily the concern of the Government because it is an immoral income and it affects the people; but I submit that it only affects a section of the people not the whole community but sanitation and medical relief is a question which affects all sections of the people and not any one particular section. Every mother knows and every father knows that the death-rate in the country is appalling and medical relief is inadequate and insufficient. I want to know what steps have been taken by the Government to remedy the evil and to arrest this growing menace of infant mortality and to preserve the vitality of the nation. I would not demur if the Government floated loans to propound a plan of improvement in the sanitation and public health of the Province but I would be surprised if they do it at all. They are not coming forward with any such scheme but they are enthusiastic only about their two schemes of prohibition and khaddar. It is a pity prohibition is a sentimental affair and is confined to a section of the people but public health and education are universal and every citizen irrespective of race, creed, caste or colour will support unhesitatingly any proposals intended to improve the national health. It is the primary duty of the State to spend more and more money on these two important necessities, sanitation and public health of the citizens. For education, no adequate provision is made. No provision worth the name has been made in the budget. It is ridiculous to be satisfied with an expenditure of Rs. 13 lakhs. As I observed earlier that by some jugglery of figures a closing balance has been shown based on certain imaginary incomes that will accrue in the course of the year. Otherwise, it will surely be a deficit budget. Therefore, I have not much to appreciate or support in this budget. I submit that this budget will be the subject-matter for serious comment in the hands of the succeeding Government or any Government that is to come hereafter. I am sorry that we are asked to support a ruinous budget presented by the so-called National Government."

SRI M. NARAYANA RAO : "అదృష్ట! ప్రధాన మంత్రిగారు ఇప్పుడు 4-15 p.m.
మన ఎదుట పెట్టిన బడ్జెటు విషయములలో సంపూర్ణంగా, హృదయపూర్వకంగా వారిని
అభినందించవలసిన అవకాశముతో నేను నిలిచిపోను. కాంగ్రెసు ఆదర్శములను
సరించి కాంగ్రెసు సంస్థ ఇంత కాలమునుంచి ఏ ఏ విధంగా దేశమును పునరుద్ధరణ
చేసే చక్కని కార్యక్రమాలను సూచించినదో ఆ ఆ విధానములను అన్నింటినీ
కూడా ధైర్యముగా, ఎంతమంది వ్యతిరేకులు ఉన్నా ఆతి ఉత్సాహముతో నడుపుచు
న్నందుకు ప్రధాన మంత్రిగారికి నా అభినందనములను తెలియ చేస్తున్నాను. ప్రజలం
దరుకూడా వారి వెనుకనే ఉన్నారని చెప్పడానికి ఎంతమాత్రము సందేహములేదు.
ఎందుచేతనంటే వారు ఈ మధ్య ఆంధ్ర దేశములో వ్యక్తమైన చేసినపుడు వారికి
అనేక గ్రామ గ్రామాలలో వేయిబది జనులు వివశిత్రాలు అస్తిస్తూ వారి విధానము
లను అంగీకరించారు. ప్రోత్సహించారు కూడా.

[Sri M. Narayana Rao]

[7th March 1947]

“ఇక ఖద్దరు విషయంలోను, co-operative సంఘాల విషయంలోను ప్రధాన మంత్రిగారి కార్యక్రమానికి ప్రజలందరూకూడా అనుకూలమై ఉన్నారని అసదానికి సందేహము లేదు. నేనుకూడా ఈమధ్య గ్రామాలందు వర్కటివ చేసినప్పుడు ఖద్దరు ఉద్యమముగురించి ప్రజలు చాలా ఉత్సాహముతో ఉన్నారని గ్రహించగలిగినాను. ఎంతమాత్రం నిరుత్సాహముతో లేరని నేను చెప్పచున్నాను. కొంతమంది మామూలు ప్రజలు ఈ ఖాదీ విధానమును ఓప్పుకొనడము లేదని చెప్పచున్నారు. అది ఎంతమాత్రము నిజము కాదు. పట్టణములలో ఉండే కొంతమంది భాగ్యవంతులు, ఈ గుడ్డల వర్గీకరణ వల్ల కొంత భావం పొందేవారు, వారూ ప్రతికూల వారు ప్రతికూల ప్రచారము చేస్తే చేస్తుండ వచ్చునుగాని ప్రజలందరూ ఇందులో ముఖ్యంగా పల్లెటూర్లలో ఉండే ప్రజలందరూ ఈ ఖాదీ విధానానికి అనుకూలంగా ఉన్నారని చెప్పటానికి సందేహం లేదు. ప్రతి మనిషికి వస్త్రము అవసరము. ఇంకా ముఖ్యమైనవిషయములు. వాటిగురించి విప్రభుత్వమైనను మొట్టమొదట తలపెట్టడము ధర్మము అంటే శ్రీ డి. కృష్ణమూర్తిగారు ప్రజలందరి కొనుగోలు శక్తికి ఎక్కువ చేయాలని చెప్పారు. కాని ఎవరిబట్ట వారు తయారు చేసుకొంటే కొనుగోలు శక్తి ఎందుకు. నేను 16, 17 సంవత్సరాలనుంచి ఖద్దరు గురించి ప్రచారము చేస్తున్నాను. D. Krishnamurthi గారు ఉద్యోగములో ఉన్నప్పుడు గాని ఇప్పుడుగాని వదులుట వారికి అభ్యాసములేదు కనుక వారు అట్లు చెప్పటం అశ్వేర్యము కాదు. కాని నానాన్యాయభవమువల్ల వడకుటయు అంతకష్టమైన పని గాదని మనవి చేస్తున్నాను. కృష్ణమూర్తిగారు చెప్పినట్లుగా వడకడం కష్టమేలే వండుకోడం కూడ కష్టమే! లేకపోతే ప్రజలందరూ వస్త్రమోహ వస్త్రమోహం అని అల్లాడవలసి వస్తుంది. వంట చేసికొనుట ఎంత ముఖ్యమో నూలు వడకుటకూడ అంత ప్రధానమైన విషయము.”

SRI A. GOVINDACHARI :—“అన్నము పెహటల్లనుంచి తెప్పించు కుంటారు.”

SRI M. NARAYANA RAO :—“ఎవరో డబ్బున్నవారు మతిలేనివారు పెహటల్లనుంచి అన్నము తెప్పించుకుంటారుగాని ప్రజలందరూ అటులేయరు. వారి వర్కటిగ్రహించు తీరదదిగాని ప్రశంసించు తీరదదికాదు. తన దొడ్డిలో కాచిన కూరగాయలు వండుకుంటే ఎంత రుచిగా ఉండుందో తన దొడ్డిలో వండిన దూదితో తాను వడికిన నూలుతో బట్ట నేయించి కట్టుకుంటే అంత సంతోషిస్తా ఉండుంది. నేను నామట్టుకు నూలు వసుకొని, బట్టనేయించుకొని కట్టుకుంటాను. గాంధీగారు గత 25, 26 సంవత్సరాలనుంచి ఈ విధంగా చేయమని చెప్పుచున్నారు. కృష్ణమూర్తిగారు ఈ విధానాన్ని అనుసరిస్తే ఇందులో భూమి సంతోషము, సంతృప్తి మహత్తువారికి తెలుస్తుందనుటకు సందేహం లేదు. రాత్రి ముయ్యక్క నైతిక, సాంఘిక, ఆర్థిక ఉపయోగములను లోకోత్తర పురుషుడైన మహాత్మా గాంధీగారు ప్రపంచకాని తెలియచేశారు. అందు చేత ఎంతమంది వ్యతిరేకముగా ఉన్నప్పటికీ ఈ ఖాదీ విధానమును అమలు పరచుచున్నందుకు ప్రధాన మంత్రిగారిని అభినందించుచున్నాను.

“అహార సరఫరా విషయంలో మనకు ఉత్పత్తి కొనుగోలుదార్ల - సహకార సంఘాలను విచ్ఛేదించేసారు. అహార పదార్థాలు కొనేటప్పుడు మధ్యవర్తులు లేకుండా చేయటానికి, blackmarket లేకుండా చేయటానికి, సరీ అయినటువంటి వస్తువులను సరఫరా చేయటానికి ఈ ఉత్పత్తి కొనుగోలుదార్ల సంఘాలను విచ్ఛేదించేసారని అనుకుంటున్నాను. కాని ఇప్పుడు ఉన్న co-operative store లు కొన్ని జయప్రదముగా లేవని వినుచున్నాము. కనుక ప్రభుత్వంవారు ఎప్పటికప్పుడు వీటి వ్యవహారాలను జాగ్రత్తగా పరిశీలిస్తూ ఉంటే ఈ co-operative society లు చాలాజయప్రదముగా పని చేయగలవని, ప్రజలకూ (ఉత్పత్తిదార్లకు, కొనుగోలు దార్లకు) చాలా ఉపయోగకరముగా ఉండగలవని నేను గట్టిగా నమ్ముచున్నాను.

7th March 1947] [Sri M. Narayana Rao]

“తరువాత గ్రామ పునర్నిర్మాణ విషయంలో ప్రతి జిల్లాలోను ఒక్కొక్క ఫిరకా వీసుకొని దానిలోని గ్రామములను స్వయంపోషకంగాను, సర్వతోముఖంగాను చేయాలని ప్రయత్నం చేస్తున్నారు. అవికూడా చాలా ప్రశంసనీయమైన విషయము. కాని పని అంత ఉత్సాహంగా జరగటంలేదని తెలుస్తుంది. ఇందు విషయమై ఒక సంగతి మనవిచేస్తాను. ప్రభుత్వంవారు తలపెట్టిన కార్యక్రమాలను చక్కగా ఉత్సాహంతో జయప్రథంగా జరపటానికి, వాటియందు ఉత్సాహమున్న ఉద్యోగస్తులనే వేయాలగాని, ఉత్సాహంలేని, అభిలాషలేని I.C.S. ఉద్యోగస్తులను వేసినయడం ఈ కార్యక్రమాలు అభివృద్ధి కావేమోనని అనుకుంటున్నాను.

“ఈ విషయంలో నా అనుభవం కొద్దీ ఒక విషయం చెబుతున్నాను. నేను 6 మాసాలనుండి కర్ర, దూది రాట్నాలకు కావలసిన ఇనుము కొంటించి అధికారులకు వ్రాస్తున్నాను. వాటిని ఆ అధికారులు supply చేయలేదు సరికదా నేను వ్రాసిన ఉత్తరాలకు జవాబు రాలేదు. కనుక ఆ అధికారులకు సరియైన ఉత్తరువులు జారీచేసినట్లయితే ఈ ఖాదీ విధానము చాలా ప్రోత్సాహకరంగాను, జయప్రథం గాను జరుగుతుందని అనుకుంటున్నాను. Firka Development Officer లను, Village Development Officer లను కాంగ్రెసువారుగా ఉండేటటువంటివారిని, ఉత్సాహవంతులైనటువంటివారిని నియమించినారుగాని ప్రభుత్వ ఉద్యోగులు తగినంత శ్రద్ధ, ఉత్సాహము చూపినేనేగాని ఈ గృహపరిశ్రమలు అభివృద్ధికావు. అందుచేత ప్రభుత్వంవారు ఈ ఉద్యోగస్తులకు అవసరమైన ఉత్తరువులు జారీచేయవలసినదని విన్నవిస్తున్నాను.

“థారీ పరిశ్రమల అభివృద్ధిగాను ప్రభుత్వమువారు Industrial Corporation ను ఏర్పాటుచేయటానికి నిర్ణయించుకొనినారు. ఈ రెండింటినీమాడ విక కాంలలో నడుపవలెననే ప్రభుత్వంవారు ఉద్దేశమై ఉన్నది. ఈ థారీ పరిశ్రమ విషయంలో ఏ ఏ పరిశ్రమలు ప్రభుత్వం నడుపవలెనో, ఏ ఏ పరిశ్రమలను private enterprise వ్వారా నడుపవలెనో, నిర్ణయించవలెనని మనవి చేయుచున్నాను.

“ప్రస్తుతం దేశంలో ఎక్కువగా blackmarket ఉన్నదని తమకందరకూ తెలిసిన విషయము. ఈ మధ్య Babu Rajendra Prasad గారు ఈ black-market కు ముగ్గురు చార్టీలు ఉన్నారని అన్నారు. వారు (1) ఉత్పత్తిదారు, (2) వర్తకులు, (3) కొనుగోలుదారులు. ఈ ముగ్గురు కలిస్తేనే blackmarket అని అన్నారుగాని నేను ప్రత్యేకముగా ఇందులో నాల్గవ చార్టీ ఒకరు ఉన్నారని అంటున్నాను. ఆ నాల్గవ చార్టీ corrupt Government officers. ప్రభుత్వ ఉద్యోగులూ ఈ లంచగొండితనముండడవల్లనే ఈ blackmarket ఎక్కువగా ఉన్నది ఒక వర్తకులే ఈ blackmarket కు కారణం అని అనలేము. ప్రతివారు ఈ black-market చేస్తున్నారు. ఈ మధ్య రైతులకు bonus యిచ్చారు. లోఫర్ ఇస్తామని అనగానే రైతులు చాలామంది ధాన్యాన్ని అమ్మారు. అంతవరకు ఈ ధాన్యము ఎవరి వద్ద భ్రష్టమో తెలియదు. ఈ విధంగా రైతులుకూడా blackmarket చేస్తున్నారు. అందువల్ల ఎవ్వరూ blackmarket జెయ్యకుండా ప్రభుత్వంవారు ప్రయత్నము జెయ్యాలని మనవిచేస్తున్నాను. దీనికి యుఖ్యంగా ప్రభుత్వోద్యోగులలో లంచగొండి తనము పోవాలి. అప్పుడుగాని ప్రభుత్వంవారి ఈ సత్ సంకల్పం సఫలీకృతముకాదు.

“ఇంతేకాకుండా థారీ పరిశ్రమల విషయంలో ఒక చిన్న విషయం మనవి చేయదలచుకున్నాను. ఈ మధ్య ప్రభుత్వంవారు రాష్ట్రంగా, భిన్న భాగత పరిశ్రమను nationalize చేస్తారని వార్తా పత్రికలవ్వారా తెలుసుకున్నాము. ఇప్పుడు

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రాజమండ్రిలో ఒక paper mill ఉన్నది. ఇప్పుడు దేశంలో కాగితం అవసరం చాలా జాస్తిగా ఉన్నది. అందుచేత ప్రభుత్వంవారు paper mill ను తీసుకొని వడివేస్తల్యులే దేశానికి చాలా ఉపయోగంగా ఉంటుంది, shareholder లకు కూడా నష్టం రాదు. ఈ paper mill చాలాకాలంనుంచి సరిగా పడవటలేదు. నాకు కూడా దానితో సంబంధం ఉంది. ఇప్పుడు shareholder లకు నష్టం వస్తోంది. కనుక ప్రభుత్వంవారు ఈ paper mill ను తీసుకొని ఈ పరిశ్రమను అభివృద్ధి చేస్తారని విశ్వసిస్తున్నాను.

“ఇంకొక విషయం చెప్పదలచుకున్నాను. మన ప్రధానిగారు గాంధీగారి కార్యక్రమాలను అమలు పరుస్తున్నారని ఇదివరకు చెప్పాను. కాని వారు ప్రకృతి వైద్యం విషయం మరచిపోయారు. ప్రకృతి వైద్యము, అలోపతి, ఔషధాలతో, ఆయుర్వేద వైద్యములకన్న చాలా మంచిదని, స్వతసిద్ధమైనదని మనవి చేస్తున్నాను. ఈ విషయం ప్రధాన మంత్రిగారికి తెలిసిన విషయమే. ప్రకృతి మాతకటాక్ష వీక్షణములవల్లనే వారు ఇంత ఆరోగ్యవంతంగా, రోజుకు 24 గంటలూ పనిచేయగలిగినంత శక్తివంతంగా ఉన్నారని మనవి చేయుచున్నాను. ప్రకృతి వైద్యమువల్ల ఏ మనిషి కూడా ఒక డాక్టరువద్దకు వెళ్లనవసరం ఉండదు. తమకు తానే డాక్టరుగా ఉండగలడు. ఖర్చు లేకుండా చికిత్స చేసికొనగలడు. కనుక ఒక ప్రకృతి వైద్య కళాశాలకూడా ఏర్పాటుచేయవలసినదని మనవి చేయుచున్నాను. ప్రభుత్వమువారు గ్రామాభివృద్ధికి ఏర్పాటుచేసిన firka లలో ప్రకృతి వైద్యశాలను ఏర్పాటుచేసి ప్రోత్సహించవలెను.

“ఇంకొక విషయం మనవి చేస్తాను. ఈ మధ్య ఈ co-operative society లలోను ఇతర కొత్త స్కీములలోను బ్రాహ్మణులకు ఎక్కువ ఉద్యోగాము లిచ్చారని కొంతమంది అంటున్నారు. ఈ ఉద్యోగము లిచ్చినవారు బ్రాహ్మణులు కాదు. వారు దేశంలోనూ తమ ధన, మాన ప్రాణాలను అర్పించిన త్యాగమూర్తులు. ఈ విధంగా దేశంలోనూ కష్ట, నష్టముల పాలైనవారందరూ ఒకే జాతి. వారిలో బ్రాహ్మణ, అబ్రాహ్మణ విభేదం కల్పించరాదు. యుద్ధములలో పాల్గొనిన సైనికులకు ప్రభుత్వం వారు ఉద్యోగములను, భూములను కల్పించున్నారు. అదేవిధంగా స్వాతంత్ర్య సమరంలో పనిచేసిన ఈ త్యాగమూర్తులకు, ఈ దేశ సేవకులకు Congress ప్రభుత్వంవారు ఉద్యోగములు ఇవ్వవలెను. ఈ పని మన ప్రభుత్వంవారు ఆతి దైర్యంతో, సాహసంతో చేయవలెనని మనవి చేస్తున్నాను. ఈ త్యాగమూర్తులు ఈ విధంగా దేశ సేవలో కాక ప్రభుత్వ ఉద్యోగములలో ఉన్నట్లయితే ఈ పాటికి ఏ High Court Judge లుగానో, ఏ జిల్లా కలెక్టర్లుగానో ఉండవలసినవారు ఎందరో యున్నారు. ఈ నాడు British ప్రభుత్వంవారు మీ దేశం మీకు ఎవరి వెల్లిపాతామంటే ఈ త్యాగమూర్తులే కారణమని మనవి చేస్తున్నాను. కనుక వీరికి ఉద్యోగములిచ్చినను, భూముల నిచ్చినను ఎవరు ఆక్షేపించవలసిన విషయం కాదు. ప్రభుత్వంవారు ఆతి దైర్యంతోను, సాహసంతోను వీరిందరికి తగిన సహాయం చేయవలసినదని మనవి చేస్తున్నాను. ఇట్టి బాధ్యత ప్రభుత్వం వారిమీద ఉన్నదనికూడా నేను అనుకొంటున్నాను.

“ఈ సలహాలను ప్రభుత్వంవారు తప్పకుండా గమనించి వాటిని అమలు ప సారని అనుకొంటూ ఈ అవకాశము ఇచ్చినందులకు మిమ్ములను అభినందించుచున్నాను.”

THE DEPUTY PRESIDENT :—“We will now adjourn for half an hour for tea. We will meet again at 5 p.m. and take up the Madras Maintenance of Public Order Bill, 1947.”

The House then adjourned till 5 p.m.

The House reassembled at 5 p.m.

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III.—THE MADRAS MAINTENANCE OF PUBLIC ORDER BILL, 1947
(AS PASSED BY THE ASSEMBLY)—*cont*

MR. PRESIDENT :—“ How many hon. Members wish to 5 p.m. speak on the Bill, may I know? ”

K. T. M. Ahmed Ibrahim Sahib Bahadur rose in his seat.

MR. PRESIDENT :—“ Are you the only Member? ”

SRI M. D. T. KUMARASWAMI MUDALIYAR :—“ Myself and Dr. Tajuddin (who will come now) will speak.”

MR. PRESIDENT :—“ Ten minutes will be given to each Member.”

SRI M. D. T. KUMARASWAMI MUDALIYAR :—“ Hon. President, Sir, though it may not be necessary to criticize in detail the dangers of this hasty and harmful legislation, after the observations made by the hon. Members on this side, I would like to record my emphatic protest against a legislation of this nature.

“ Even the Government from the fetters of which we are trying to free ourselves never dared to introduce such legislation which might have helped them to hold their grip longer. It surpasses one's understanding that at a time when the whole country is yearning for and is marching towards freedom, the present ministry should have thought of forging new fetters and crush the movement for freedom and independence.

“ The present legislation is suicidal and will recoil on the framers themselves when they cease to hold office and when another party comes to power.

“ The party now in power has cried hoarse against the ordinances introduced at the time of the global war when there was threat of invasion of our country and have condemned the same in all possible ways. The very law that was abhorred and condemned by the present party is now hugged and sought to be forced to be used against the innocent people who had been misled by men who till the other day were the prime movers of the party in power. A legislation of this kind will confer uncontrollable powers on irresponsible people of lower ranks and will be used as an engine of oppression for suppressing rival parties however noble and laudable their object might be. Such legislation will be used against the legitimate criticism and will drive the rivals to resort to undesirable ways which would finally lead to chaos and confusion.

“ The present Government is taking a very serious responsibility in forcing a dangerous legislation relying on the mere strength of numbers without any regard to the future growth of the country and the glorious independence for which genuine Indians are working in their own humble way.

“ Once again I would request the Government to think once, twice, and hundred times before venturing on a legislation which cuts at the very root of independence and freedom of the individual and the nation.

“ Mr. President, Sir, I thank you for the opportunity you have given me to speak on this Bill.”

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SRI P. R. K. SARMA :—" Sir, I shall be failing in my duty if I do not protest most strongly against the introduction of a legislation of this character. I am here, Sir, representing the cause of Labour. It is well-known that labour, which suffered terribly during the war on account of the various restrictions imposed and also on account of economic difficulties, is now slowly trying to get into its own. During the war, if there was any section of the community which suffered most it was labour. It is not only in our country but everywhere that all kinds of restrictions were imposed on labour. Strikes were prevented, while employers enjoyed freedom to deal with the labourers as they liked. Impossible restrictions were imposed on even ordinary trade union activities. I can quote any number of instances, but I do not propose to take much of the time of the House by quoting instances. There was a strike for one day on account of some sudden provocation. The workers struck. The next day they went back to work. The Secretary and Assistant Secretary were caught hold of after they had returned to work and they were convicted to undergo one year's rigorous imprisonment. The employer has practically crushed the trade union out of existence, and not even the present Congress Ministry, has been able to save that most constitutional trade union of most moderate minded workers—not Communists! Sir, in this country there has been no legislation for labour. Despite the presence of popular parties in the Central Legislature labour is to-day devoid of any protective legislation."

MR. PRESIDENT :—" May I ask the hon. Member how it is relevant to this Bill? May I request him to show how it affects labour? "

SRI P. R. K. SARMA :—" I am just trying to point out. . . ."

MR. PRESIDENT :—" You please go to the point."

SRI P. R. K. SARMA :—" I am just trying to show how the legitimate activities of the labourers to better their economic condition and to secure their ordinary elementary rights will be considerably handicapped by the enactment of a legislation of this kind. It might be, Sir, that it is intended to check the activities of the Communist party. Even existing law has been exploited by police officers here and there to curb ordinary trade union activities and to suppress the most constitutional and moderate trade unions. Labour, Sir, is devoid of any protective legislation, and now faced by serious economic crisis workers have to strengthen their unions and even go on strike with a view to secure even a minimum living wage. I wish to point out, Sir, that even the Government of Madras is paying such a low wage as three annas a day for women workers at Mettur in the Public Works Department. I met the officer of the department there. But I was not able to convince him that three annas is not a sufficient wage. Workers have no legislation to assure them of a minimum living wage and to protect their elementary trade union rights. In the absence of such protective legislation workers have no other go

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except to organize themselves under their trade unions, and if necessary, go on strike. The enactment of a legislation of this kind will place immense powers in the hands of unscrupulous police officers. The other day there was a small strike in the Sayani Glass Works. An adjudication was ordered: the strike was called off; I took the men and women workers to the gates of the factory. But they were not taken back to work as required by Law. The adjudication has been in favour of the workers. To-day these men and women workers are starving in the streets of Madras and invading the residence of the Hon. Minister for Labour, and yet they have not secured redress. When a worker probably provoked by an unreasonable action of the employer goes on strike, he is convicted for one year's rigorous imprisonment. When he comes out of prison he is unable to secure an employment. Employers in this country, even big employers violate law with impunity and go scot-free. If these shackles and fetters in the present Bill are forged by you even day to day trade union activities of workers will be handicapped. During the war the workers were under restraint. They did not resort to strike; they did not think in terms of strike at all. The workers know that strikes hit them more than the employers. I was referring to a small strike. Some policemen made a report during the strike against some of the strikers. The poor women workers were not taken back; so they went and lived with their brothers and sisters. Some policemen dragged a woman from her brother's house to the police station and kept her in the cell and when I went to inquire in the Police station I was unable to find out what exactly was the charge against her. They resorted to peaceful picketing; and yet they were beaten by the Police. Some of them were injured; I took them to the hospital for treatment. I have made representations to the Government and am waiting to see what action Government will take. Even now I have made representations to the Government. My point is there is no necessity for a legislation of this kind. The existing law of the land is sufficient to put down misdeeds, and a new fetter of this kind is absolutely unnecessary. I wish to tell Mr. Madhava Menon who was painting in lurid colours the atrocities committed by Communists in Malabar, that I have had the privilege of working shoulder to shoulder as a humble trade union worker with the Communists for about twenty years. (Sri K. Madhava Menon: 'So have I!') The Minister for Labour knows that he has worked in the Trade Union movement. We fought serious battles with the Communists. We have survived in the movement in spite of the Communists; we have received their shocks; and even to-day we are striving to see that legitimate and bona fide trade union movement is protected not only from the Government and the employers but also from the Communists, and nobody exploits trade unions for party ends. Sir, I feel ordinary law of the land is sufficient to deal with any situation. One hon. Member talked about some people coming down from the hills and committing all sorts of atrocities in Malabar. I have also travelled, though not recently, all over Malabar, and I hope to go to Malabar at the end of this month; and perhaps Mr. Madhava Menon will be there then. I have gone through the

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whole presidency; I have gone through the whole Andhra country. I am connected with trade unions in Andhra area. I am connected with a large number of trade unions in the City and all over the province. I have received probably some of the biggest attacks from the Communists. I repeat, Sir, honest trade union movement will be considerably obstructed by enactment of a legislation of this kind. There is absolutely no necessity for it now. The existing common law of the land is sufficient to meet any situation. Any efficient Government—I do not say this Government is not efficient—any efficient Government should be able to protect liberty of person and property with the existing law. The trade union movement, which is striving to protect the common rights of the workers will stand by the Government and see that not only the Communists, but all disrupters, are kept out of it. I protest against the introduction of this legislation. I do not propose to go into the several clauses now. I only wish to say, Labour in this province condemns this Bill. They feel that it will interfere with their legitimate rights."

5-20
p.m.

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—
" Mr. President, Sir, I rise to oppose this Bill. While doing so, I am conscious that the Bill has been brought forward in this House in such a manner and in such circumstances that it will not be possible for us in this House to alter a comma of the provisions of this Bill. In similar circumstances on a former occasion we appealed to the Prime Minister and the Cabinet to give us opportunities to make our effective suggestions in regard to any Bill, and we thought that that would be the last occasion for such a thing to take place. Unfortunately again this Bill is brought forward before this House in such a manner as not to enable us to offer any suggestions. Now, Sir, it would be whipping a dead horse to make suggestions or to move amendments in these circumstances. The other House is closed and this Bill is to be rushed through so that it may get the assent of His Excellency the Governor and also His Excellency the Governor-General before the 13th of this month."

MR. PRESIDENT :—" Anyway the suggestions made by the hon. Members will have due weight with the Government in the working of the Bill. Therefore you may make your suggestions."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I was about to say that myself, Sir. Anyhow, we consider it our duty to give expression to our views so that in the enforcement of this measure the rigours of the provisions may be tempered. I am glad, Sir, that the President has anticipated my suggestion regarding this matter. Now, Sir, when we oppose . . ."

MR. PRESIDENT :—" At the same time, I would request the hon. Member to take not more than 15 minutes."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I think I will be able to finish before that time, Sir."

" When we oppose this Bill, Sir, let it not be understood that we ally ourselves with the Communists or in anyway approve of the activities of the Communists. Sir, the other day when the

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Hon. the Premier explained to this House the necessity for the promulgation of the Ordinance he emphasized the activities of the Communists and he justified the promulgation of the Ordinance by explaining the disruptive activities of the Communists. Therefore I wish to point out that while we are opposing the provisions of this Bill, it should not be understood that we in anyway approve of the activities of the Communists. We are one with the Government, I must assert, in opposing the activities of the Communists and this House knows that the Muslim League Party has assured the Hon. the Premier and the Cabinet, of its co-operation and help in all matters concerning the preservation of peace and the maintenance of law and order in this Province and also in connexion with the solution of all problems relating to food. The Hon. the Premier will concede that our party has always been co-operating with him in the maintenance of law, peace and order in this Province. In this connexion I must also emphasize, Sir, that the Hon. the Premier has been very earnest in his efforts to maintain peace and order in this Province and as he has pointed out in his budget speech it is a matter for satisfaction and pride that peace has been maintained in this Province unlike in other Provinces.

“ I would however point out, Sir, that there is no occasion or justification for these sweeping and all comprehensive provisions of this Bill. This Bill is a direct infringement and curtailment of the civil liberties of the people. It is most unfortunate and surprising that those who have been fighting all their lives for the freedom of the people and for the restoration of the liberties of the people should have thought it fit to bring forward such a measure. The Hon. the Premier himself has stated while explaining the necessity for the introduction of the Ordinance the other day that it was very unfortunate that ‘ this Government should have been compelled by this Communist section to have recourse to a method which is not after their heart and which they never intended to apply.’ . . . ‘ We feel so sorry that we with our own hands should have drafted this Ordinance and placed it before the Assembly and the Council.’ Well, Sir, having said so much, I thought the Hon. the Premier would not have found it necessary to bring forward this measure because the ordinary law of the land is quite sufficient to meet the situation created by the activities of the Communists. He himself has confessed in his statement that to a certain extent it was possible to deal with these activities with the ordinary law of the land. He said, Sir, ‘ . . . it has been possible to a certain extent, to deal with these activities with the existing machinery of the law . . . ’ Well, Sir, if the Government had taken measures to nip the activities in the bud, there would not have been any necessity for trying to arm themselves with such sweeping and all comprehensive provisions. Well, Sir, if you look into the Bill, you will find that almost all civil liberties which a man should have are being sought to be taken away. First of all a man can be detained without his being given an opportunity to prove his innocence before a Court of Law. True, the Bill provides for the constitution of an Advisory Council whenever

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necessary. Well, Sir, its constitution is, I would say, an eyewash. All the records need not be placed before this Advisory Council. Sir, clause 3 (4) of the Bill reads as follows :—

'The Advisory Council shall, after considering the materials placed before it and, if necessary, after calling for such further information from the Provincial Government or from the person concerned, . . .'

This shows that the Government is not bound to place before the Advisory Council all the materials. It may even tell the Advisory Council that the disclosure of certain facts would be against public interests."

THE HON. SRI T. PRAKASAM :—"A wrong interpretation."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"Then, again any finding by the Advisory Council is not binding on the Government. The Advisory Council may with the limited material before it come to a certain conclusion in favour of the person concerned. Still the Government may not be satisfied with the finding of the Advisory Council. Therefore it is that I say, Sir, that the constitution of the Advisory Council is a mere eyewash. If a provision had been made for the constitution of a judicial tribunal whose findings would be binding on the Government it would have been something. But in the other House when such an attempt was made by the members of my party the Hon. the Premier was not prepared to accept those amendments.

"Again, Sir, there are the freedom of movement, the freedom of association and the freedom of the press. There are provisions in the Bill for curtailing all these freedoms. When the Ordinance was being discussed in a meeting of the Congress Party, it was stated that strong criticisms were levelled against the provisions of the Ordinance and that the Hon. the Premier assured them that while bringing forward this Bill he would remove the obnoxious provisions of the Ordinance. I have been trying my best, Sir, to find out what obnoxious provisions of the Ordinance have been removed from this Bill. I find, Sir, that far from any obnoxious provisions being removed, there are some more stringent provisions. For example, we do not find in the Ordinance, the following clauses of the Bill, viz., clauses 2 (e), (f), (i) and sub-clause (2) of clause 2 and the provision regarding search, namely, clause 12 and Explanation 3 to clause 8 (3). We were told after the Ordinance was discussed in the Congress Party that its obnoxious provisions would be removed, but I find more obnoxious provisions have been added and they are more stringent. But still we find that the members belonging to the Congress Party have been welcoming this Bill and they have not said a word against the provisions of the Bill. Even that assurance given by the Hon. the Premier to them—if I can believe what I read in the press had not been . . ."

MR. PRESIDENT :—"Obviously they are satisfied. There is nothing obnoxious so far as they are concerned."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"Sir, that assurance has not been implemented. The Hon. the Premier

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said that the necessity for the promulgation of the Ordinance was the prevalence of a spirit of lawlessness spread by the Communists in some districts. But, Sir, what is the cause of the spirit of lawlessness and the revolutionary activities of the Communists. If the Hon. the Premier had taken care to check the spirit of lawlessness when it first showed itself in the Province, then these Communists would not have come forward and indulged in these activities.

“ Sir, I would recall to the mind of the Hon. the Premier what took place in this Province so far as the Muslims were concerned shortly after the last general election. As a result of political prejudice, caused by the last general election, Muslims in various parts of the Province, especially in the Tanjore district, were harassed by certain sections of the Hindus for political reasons. We appealed to the Hon. the Premier to nip it in the bud. Then came the incidents in Madura and Vaniyambadi. Again I appealed to the Hon. the Premier. I do not question the earnestness and sincerity of the Hon. the Premier in this matter, Sir, but because there were probably troubles in his party, he could not put down the spirit of lawlessness with an iron hand. In many places Congressmen went about saying that because there was a Congress Ministry in power they could do whatever they liked with impunity. In certain places they bullied the officials and the latter were afraid of Congressmen and did not come forward to do justice by those who were suffering at the hands of Congressmen.

“ Sir, some of the persons convicted for incidents in August 1942 were released and what did they do? They went about preaching defiance of authority publicly. During the last budget debate I drew the attention of the Hon. the Premier to the speeches made by some of the Congressmen who had been released from jail. I specially appealed to him to send for the shorthand reports of the speeches of these persons and see whether any action could be taken.

“ Again, Sir, the newspapers have been sedulously poisoning the minds of the Hindus against the Muslims. They were trying to use the Noakhali incidents as a lever for this purpose. Gandhiji has said recently, Sir, that the incidents in Bihar paled into insignificance before . . . (Laughter.) I mean, Sir, that Gandhiji before he departed for Bihar has said that the incidents in Noakhali and Tipperah paled into insignificance when compared with the incidents in Bihar. But here, Sir, very responsible and reputable papers began to report that thousands of people suffered in Noakhali owing to the atrocities of the Muslims while the actual figure was very low, only in the category of three figures.”

SRI B. BHIMA RAO :—“ May I ask, Sir, how all this is relevant now? ”

MR. PRESIDENT :—“ We had better forget Noakhali and Bihar for the present.”

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ I myself have always wanted that we should forget other Provinces. That has been my concern. The Hon. the Premier will bear me

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out that times without number we have appealed to him to take action against those who used the Noakhali incidents as a lever for injecting the poison into the minds of Hindus. Though the Hon. the Premier has been requested to take action against these people, he did not take any action. I sent him cutting of editorials from newspapers in the Province and requested him in person to take action against those people and warn them against such poisonous activities and also check those Congressmen who were indulging in such violent activities against Muslims. As I said, probably on account of the trouble in his own party he was not able to do anything."

THE HON. SRI T. PRAKASAM :—" That has nothing to do with this."

MR. PRESIDENT :—" Does not the hon. Member feel that he is only strengthening the hands of the Government by his arguments? "

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I am stating the facts, Sir. There is no strength needed for their hands. The whole thing has been predetermined. We are only seeking to express our views, but the fate of the Bill has been predetermined. We cannot alter even a comma in it."

MR. PRESIDENT :—" I am only anxious to avoid Hon. Members sitting late day after day if they can co-operate with me."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" What I am driving at is that the situation created by the activities of the Communists is a situation that has been created by the Government itself. If the Government had taken steps to check the spirit of lawlessness when it first appeared in the Province after the last general elections, that spirit would not have spread at all. But in spite of our entreaties and requests, the Government did not take effective steps to check that spirit with the result that the contagion spread and the Communists began to indulge in greater and more intense activities against the civil liberties of people in the Province."

MR. PRESIDENT :—" It is never too late to mend."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Even then there is no necessity for this."

MR. PRESIDENT :—" That is the point which the hon. Member wants to make."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" That is my point. It is why I say that if the Government had taken early steps to check the spirit of lawlessness which first appeared among Communists, the necessity for a Bill of this kind would not have occurred. Even now, this spirit of lawlessness among Communists can be dealt with effectively by the ordinary law of the land as the Hon. the Premier himself said that it was possible to use the machinery of existing law. The incidents narrated by my hon. Friend Mr. Madhava Menon could very well have been dealt

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with under the ordinary law of the land and it is not necessary for that purpose to deprive the people of their civil liberties in every direction.

"Again, Sir, whatever may be the intentions of the Government after all, these provisions are to be put in force by the subordinate officials. To entrust subordinate officials with such sweeping and comprehensive powers would be gambling with the liberties and lives of human beings. That is why we oppose all the provisions of this Bill. Even now, Sir, we find some discrimination is being made in regard to the enforcing of the Ordinance. Some members of the Tamil Nad Congress Committee and All-India Congress Committee were arrested under the Ordinance, but the other day one member of the Tamil Nad Congress Committee was released."

MR. PRESIDENT :—"Does the hon. Member object to it? I thought he wanted nobody to be arrested!"

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"I want to point out how the Ordinance is being enforced in practice. Again you find that three members of the Tamil Nad Congress Committee or the All-India Congress Committee have been released. (Sri B. Narayanaswami Nayudu : 'They are Kisan Congress people.') No, they are all members of All-India Congress Committee. That is a pointer to the way in which the Act may be worked. It may be used as a political weapon, if necessary. We do not find any Communists being released. We only find that members of the Tamil Nad Congress Committee whom the local authorities thought fit to arrest have been released. What does it point to? I will leave it to the House to draw the necessary inference. Therefore we say that the provisions of this Bill constitute an engine of oppression which may at any time be used against any political party to its great detriment. It is why I oppose this Bill."

DR. SYED TAJUDDIN SAHIB :—"Mr. President, Sir, I regard this Bill as a double-edged sword. The hon. Friend who spoke a little while back said that this Bill would be suicidal. I would go further and say that it would be not only suicidal, but also homicidal." (Laughter.)

MR. PRESIDENT :—"Which part of it does the hon. Member object to : suicidal or homicidal?"

THE HON. SRI V. V. GIRI—"Fratricidal."

DR. SYED TAJUDDIN SAHIB :—"I will have to wait and see."

"I warn the Hon. Premier and his colleagues about the far-reaching consequences in the shape of a boomerang. The whole thing may recoil on the heads of the Ministers who, perhaps with the best of intentions, are perpetrating a great wrong to the public at large."

DR. V. K. JOHN :—"Does the hon. Member suggest that the Members of Government will be the first victims?" (Laughter.)

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DR. SYED TAJUDDIN SAHIB :—“ I do not know, Sir. Laws are not made for any sections of people; they are made for all people. But I am afraid this particular measure is directed against a single section of the population of this province. I do not know what this Government have in view with regard to some other sections of the population. Probably now it is intended against the Communists. Later on it may be used against some other sections of the population. (Interruption.) I do not know. The Hon. Premier and his colleagues know about these things better.

“ In the last few days, we were hearing much about the Ordinance. But in the notice put in our hands, I find a milder name, the Madras Maintenance of Public Order Bill. I do not know what difference there is between this name and that. Probably the word ‘ Ordinance ’ has got a scare about it, too strong for this Council or for the other House.”

MR. PRESIDENT :—“ The difference is that that is an Ordinance, and this is a Bill. This cannot be called an Ordinance.”

* DR. SYED TAJUDDIN SAHIB :—“ But this has got all the force of an Ordinance. Therefore I say it is a distinction without a difference. Call it an Ordinance or by whatever name you like. If you call a thing rose, it does not become a rose; it smells obnoxiously and would be dangerous in effect.

“ I am afraid this measure does not belong to modern times. It is out and out a mediæval measure, and there is no doubt about it. Many of us have read the History of England and there we see the difference between an Ordinance and a statute. Out of royal prerogative, Ordinances are issued; the Parliament can enact only a statute and cannot promulgate an Ordinance. During the reigns of Henry III and Edward I, such measures were very common. At certain periods they were, I may say, almost every day occurrence.”

MR. PRESIDENT :—“ I am sorry to interrupt. May I request the hon. Member to discuss the principle of the Bill? He may take it that all the members know the historic difference between an Ordinance and a Bill.”

* DR. SYED TAJUDDIN SAHIB :—“ My object in giving the historical aspect is to impress upon this House that such measures have become obsolete altogether. Even as early as 1389, the measure became very unpopular. (Mr. President : ‘ Does the hon. Member mean the Ordinance? ’). Such repressive measures, call it Ordinance or by whatever name you like. It only wears a mild mask now. Whatever mask this Government are pleased to give, it wears.

“ Burke has once said that law has got two and only two foundations : equity and utility. I am afraid there is neither equity nor utility in this. (Interruption.) Utility there is, probably from the point of view of the Congress Party. But from a larger point of view, there is no utility. (Dr. V. K. John :

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'Don't forget they are in this hall.') I *cannot* forget it, Sir. (Laughter.) (Mr. President: 'I am sorry I was not in it.') (Mr. K. O. Anthoni: 'All the better, Sir.') The same great Burke has said that, if laws are very repressive, the laws become enemies of men and men become the enemies of law. I wish this Government take a leaf from the book of Burke and from the experience of great political leaders in other countries.

"With regard to a man's trial, this measure does not give any opportunity to him to present his case. Seneca, a great Grecian Philosopher, in similar circumstances, once said that in deciding a case without allowing the other party to present his case it might be decided justly but it might not be just. It is not just to decide a man's fate in his absence. That is the most cruel section of the Bill. I am not a lawyer. Layman as I am, I can easily understand the cruel nature of some sections. I do not wish to weigh and consider section after section of this Bill, for the reason that I am totally against all the provisions of the Bill. I am convinced that if this Bill emerges out of the Legislatures—it is going to emerge in a few hours' time—it will become a great hydra-headed monster capable of doing untold misery and suffering to many people of this Province. As such, I would be the last man to give any support to this measure. The ordinary provisions of the law are there to deal with. Heavens have not fallen on our heads because this Bill was not there all these days. Some hon. Members of this House pointed out certain instances of lawlessness in certain quarters. I do not want to deny that there are a few plague spots here and there, in two or three or four districts of this vast Province. Why should not this Government take into its head to have a special measure to combat such a situation with regard to those few plague spots? Why should the docile districts of the Province where we have no trouble till now, be subject to such a measure which is pregnant with such dire consequences and possibilities? I do not see any reason why it should be made a general measure for the whole Province. I do not wish to take up the time of the House any longer. I cannot conclude without expressing my deepest disapproval and my strongest protest against this measure as a whole."

* MR. K. O. ANTHONI:—"Mr. President, Sir, I did not intend to take part in the preliminary discussion of this Bill. But having listened to the speeches that have already been made from both sides of the House, I thought that there are one or two points on which I would like to offer a few comments. In common with several other Members I deplore the circumstances under which this Bill has come to this House. Sufficient stress has already been laid and I do not want to detain the House any further dealing with that aspect of the question. As a democrat by instinct, by association, by training and by conviction my heart rebels against this measure which seeks to deprive the individual of his civil liberties . . ."

MR. PRESIDENT:—"Was the hon. Member convicted at any time?" (Laughter.)

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MR. K. O. ANTHONI:—"No, Sir. The other day I read a definition of the word 'politician.' A politician is described as a human machine which goes on wagging its tongue. I have not developed into a politician of that type. I have got a few convictions which I would like to lay before you. As a democrat I am opposed to this measure, to the fundamental principles on which it is based.

"There are one or two other considerations also which deserve our attention. We know that our country is passing through a critical stage. The country is passing through the pangs of a rebirth. Various ideologies, political and social, are struggling for mastery. At this critical juncture in our history, are we going to maintain law and order in this country or are we going to allow chaos and confusion to arise in the country? That is the question that we should address ourselves to.

"This is a time when mass conversions to ideologies are taking place. I have heard a criticism of mass conversion alleged to have been made by Christians. Personally I do not believe in mass conversions. But whatever allegations might have been made against the mass conversions to Christianity, no one has said that these conversions were accompanied by riots. Mass conversions to ideologies, I regret to say, are accompanied by violence. That is an aspect of the question which we have seriously to consider in connexion with this Bill. It seems to me, Sir, that there is something fundamentally wrong with our training for democratic citizenship. I regret to have to remark that throughout the country there is a spirit of indiscipline. Everyone speaks of his rights and not of his responsibilities. Everyone speaks of his liberties and not of those of his neighbours. Civil liberties we all want; we praise them; but no individual is allowed to exercise civil liberties at the cost of his neighbour, at the cost of the community. So, there are certain liberties which we should concede to others while we talk of our own individual civil liberties. Let me also remark that there is a tendency in our country unfortunately to mistake liberty for licence.

6 p.m. "It is in this perspective that I view this measure. That is why I say that it is unfortunate that while some of us can see the necessity for an extraordinary measure to cope with an extraordinary situation, we are not given the privilege of amending this Bill so as to meet the requirements of the present situation. The question resolves itself to this: how to reconcile the maintenance of civil liberty of the individual with the maintenance of law and order in this country? Both are precious, and I think serious consideration should be given to the demands of both these principles in considering this Bill. While, therefore, I could understand the Hon. Premier's anxiety to maintain law and order in the present circumstances of the country, I must also remark that there are certain features of the Bill which, as a democrat, I should certainly not like to see incorporated in this measure.

"But before dealing with them, let me deal with the question that has been raised by several hon. Members in the House,

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namely, whether the ordinary law of the land should not suffice to deal with the situation. Having had firsthand knowledge of what has been happening in certain parts of the country and in some of the Native States in the neighbourhood of our Province, I regret I cannot agree that the ordinary law, in which proof has to be given and witnesses have to be brought in cannot cope with the situation. Situation may arise, which will make it practically impossible to cope with them under the ordinary law. And so I feel that there is necessity for a measure of this kind. Some of the objectionable features that I mentioned have already been referred to by hon. Members of this House, and I shall mention a few categorically.

“ Firstly, Sir, the application of this measure to the whole of this Province does not appear to be correct. Only certain parts of it have been affected and it would have been much better if the provisions of this Act are applied to those parts first and extended later on, as and when necessary to other parts of the Province.

“ Secondly, Sir, I have always been one who felt that if there is one thing in the British Administration that we have to admire, it is the provision for an independent judiciary. We have always been accustomed to the rule of law and not to the rule of the thumb. And so, I should have certainly been glad to see a provision made in this Bill for an ultimate appeal for a judicial review. These Advisory Councils, as my hon. Friend Mr. Ahmed Ibrahim remarked, are only an eyewash. I suppose, that is parliamentary language.”

MR. PRESIDENT:—“ Even an eyewash is necessary for a weeping eye.”

* MR. K. O. ANTHONI:—“ Whatever it be, Sir, these Advisory Councils can never take the place of a judicial review and it is indeed regrettable that no provision has been made for such a judicial review as a last recourse. Whoever be the aggrieved party, if he was given that right, and one of the obnoxious features of this Bill could have been done away with.

“ The third objectionable feature is the gagging of the Press. It is provided for in section 9. Sir, I suppose, that after all, speaking by and large, the Press in this Province has been reasonably tolerant and reasonably liberal-minded. They have offered criticisms and probably some of them have used violent language, but I do not think that we could complain too much about the attitude of the Press towards this Government or any other party. And so, I wish that that provision was not included in the Bill in the form in which it has been done.

“ The only other provision that I would object to, is this. Power has been given to any police officer to do anything with life. It would have been much better if police officers over and above a certain rank, say the Sub-Inspector, were invested with this power. As it is, I feel that the life of the citizens may not be safe in the hands of these petty limbs of law, who we know

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are easily carried away by all sorts of considerations. With my hon. Lady Friend Mrs. Hensman, I hope that this measure will be administered with due circumspection. I sincerely think that the Hon. Premier has not brought in this measure to victimize his political opponents, be they the Muslim Leaguers or Communists or anybody else. It is my hope that he has brought in this extraordinary measure first to cope with an extraordinary situation and no more."

* SRI C. N. MUTHURANGA MUDALIYAR :—" Mr. President, Sir, I rise to support this measure and in that if I err, I err in the good company of my hon. Friend Mr. Madhava Menon. Sir, he has been for the past 25 years the victim of ordinances and Criminal Law Amendment Acts of the imperialist Government, and when he supports such a measure, I have no qualms to support it. The hon. Mr. P. R. K. Sarma, the labour leader, must have found fault with Mr. Madhava Menon for supporting it, but Mr. Madhava Menon's sufferings under the ordinances are much greater than those of our friend Mr. Sarma.

" Sir, I need not argue at length after Mr. Anthoni has spoken. He has plainly said that the ordinary law was not enough to meet the extraordinary situation and that a special law like this is needed. My sincere opinion is that a measure of this kind, though not with all its rigours, ought to have been passed long ago, even in the last session. I was of opinion that the people's Government functioning in this Province has not been prompt in this respect. Sir, mention was made about the breaking of heads, the burning of grains and stocks in the Tanjore district; mention was also made that Kisans have killed people belonging to the mirasdars on the advice of the Communist friends and that similar things have happened in Malabar and in some of the Andhra districts. Of course, some of our friends have said that such things happened only in three or four districts and for that the Government need not have come forward with this measure for the whole of the Province. But I should like to mention, Sir, that our friends who incite the goondas and Kisans may go into the borders of those districts where this law would not be in operation and then incite the people.

" Again, Sir, I may remind this House what happened in the Madras City itself. On the advice of our Communist friends, the labourers came to the Secretariat premises and threw stones at the Premier himself in the Secretariat veranda opposite to this room. Meetings were addressed and on public platforms, some people advised the labourers to drag the Premier by his hair and beat him. Then, when shop windows were broken by throwing stones at them, when passengers in buses and in trams were attacked with stones, what was the position? The police no doubt were going behind this procession of labourers, but they were all silent witnesses to what all was happening, the breaking of shop windows, the attack on tram cars and buses; they did not also take any steps when the labourers came to the Secretariat and threw stones

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K. UPPI SAHIB BAHADUR :—“ May I ask for want of a provision in existing laws, they were not able to take any steps? ”

SRI C. N. MUTHURANGA MUDALIYAR :—“ I am not here to answer the hon. Member, Sir, the Premier will answer him. We saw the police silently watching these stone-throwings; but when some of us asked them why they stood quiet, they said they had no power. I felt even then that such a legislation as this, even though in a modified form, should have been passed. But of course, the Ministers, congressmen as they are, were reluctant to bring in such a measure. That is why they delayed it; at least now when the situation has become more serious, they have brought it forward; and yet we find hon. Members opposing it, just for the sake of opposing the Government; that is their purpose. What is the position as regards this legislation? Members on the opposite side pointed to some objectionable features; but the Ministers have assured us that the objectionable provisions will not be used, and that in course of time, with the gaining of experience, amendments might be brought in. Sir, I have been hearing speeches from the opposite side about freedom and independence, liberty of the subject and all such things. Who fought for freedom and independence in this land? It is the Congressmen, i.e., the people in the Government which is now functioning. They are the real fighters for freedom and independence; they have suffered under the bureaucratic ordinances. And on the analogy of the condemnation of those ordinances of the past by Congressmen, our friends are now condemning this ordinance and this legislation. But they must not forget two points. The ordinance promulgated by the imperialistic Government was against the people of this land to suppress the freedom movement; but the ordinance or this special legislation now before the House is to maintain law and order in the proper manner. Liberty of the subject was spoken of more often than any other term; but what is liberty? our friends mentioned ‘ liberty ’ and ‘ licence. ’ Is it the liberty to cut heads, is it liberty to destroy grains, is it liberty to throw stones at shop windows and at people travelling in buses and trams? ”

MR. K. O. ANTHONI :—“ We are not at cross purposes.”

SRI C. N. MUTHURANGA MUDALIYAR :—“ Is it liberty to throw stones at windows; are not the merchants and the shopkeepers and the tram and bus travellers entitled to the same right of liberty of the subject as against the aberrations of these labourers? Are not the mirasdars of Tanjore to have the right to expect support from Government as against the aberrations of these Kisans and their secret advisers? No doubt, Sir, liberty of the subject is good, but licence is not at all desirable. Liberty, no doubt, for all people there must be, but not for one section of the people who take the law into their own hands and make the others victims to the violence which is being carried on, even when a people's Government is functioning. My opinion, Sir, is that there is no need for this violent agitation. The one remedy that is left to people who are not of the Government is to educate the electorate and defeat this Government in the next elections—not by

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throwing stones, not by taking away the grains when there is not enough grain in the country for our people . . . (interruption from Sri B. Narayanaswami Nayudu)."

MR. PRESIDENT :—" No cross-arguments, please."

SRI C. N. MUTHURANGA MUDALIYAR :—" We really carried on the freedom movement, not by quarrelling amongst ourselves. So, Sir, I strongly support this measure; whatever its defects, whatever its shortcomings, I am willing to support it."

* THE HON. SRI T. PRAKASAM :—" Sir, I must thank the hon. Members who opposed this measure for the very lenient manner in which they have dealt with us. They have no doubt been very vehement, but in their heart of hearts, they knew what the country has been, how people, the general public, the civil population, men and women, have been suffering at the hands of particular sections or parties, whatever you may call them. They all knew that, but when the question of liberty comes, they feel just as we felt. Sir, like the hon. Members of this House who opposed this, we also felt very much before we thought of this step, before we put our hands on this measure; we felt more perhaps than all the hon. Members here who opposed, for the reasons stated by them. We should have been the last people to have made an attempt to introduce a Bill of this nature. We know what it is when a person is deprived of his liberty of person or property. We have gone through the whole mill, not for one year or two years, but for the whole period of 26 years; we know how the blood of the non-violent people were spilt on the ground in their fight for this freedom. They knew everything that is involved in a measure like this. And for us, to come to-day with a Bill of this nature is not a pleasure. I admitted it, and I admit it now, I always feel with the hon. Members for the harshness of some of the provisions made here. But believe me, could they be helped? That is the question. We are not mere legislators in charge of the administration here, passing orders on files in the office, sitting in the Secretariat in Fort St. George, without knowing all that is happening in the country; we have gone through every area that has been affected. What do you think we felt? You are accusing us to-day; the hon. Member Dr. John, a lawyer of his eminence, has thought in the manner he has done. What did we do? Did we keep quiet when this thing was developing in the country; did we sit idle; did we not exhaust all available provisions of the Criminal Law or any other Penal Law, with a view to prevent these activities and these atrocities on the part of these men? Everything has been done. Not merely the Government, Sir, but all those officers, the Police officers and others, have been discharging their duties most scrupulously. Government have looked into all the provisions of law which could be applied against these persons. They did not wish to go recklessly. For some time, we have not been able to notice such things; but the technical difficulties are soon got over. The Police department has been ready to discharge their duties; but they said, 'how can we lay our hands upon these people,' and they were helpless. So, Sir, every available step was taken to control this in a peaceful manner by the

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use of the ordinary law of the land but having failed in all these things, we felt compelled to go before the Legislature; we felt compelled to promulgate the Ordinance and then this Bill had to be followed.

“ Sir, I had described in the past incidents in detail. I do not wish to refer to all those items. Even when I introduced the Ordinance, there was a big debate. Of course, in this House, there are such great men who can deal with any subject that comes before them in a masterly way. I always admired the way in which this thing is done here. We want that the people should know exactly the circumstances under which we had to bring in this Bill. I do not wish to take you back to those incidents again. There is no area which I have not visited in connexion with these matters. There is no place which I had not gone to with a view to know things directly; I had been to places where the Police people could not find anything, and where even the people did not know that the Communists were doing all these things. In Karur, Sir, where there are large handloom weavers' factories with bales of cloth and yarn, these Communists broke into these factories, put petrol upon the door-frames, entered inside and burnt the whole thing in broad daylight when the Collector was there, when the Police Superintendent was there and when the Police force was there. Could you imagine a state of affairs like this? These Communists are no doubt very clever to see that they take advantage of the time at their disposal when the whole Congress was locked up in jail. When the Congress leaders were arrested and put in jail, these Communists came into existence for the first time; they have not been there for years. They were part of the Congress; they were taking part in Congress movements also. But in 1942, they found that it was an opportune moment when the whole Congress was locked up. They remained outside and they had a chance to carry on a war against the Congress. Then what did they do? Having adopted all the methods and all the ways against the Congress, they entered the villages, took hold of those innocent men. It is those innocent men, Sir, that have been marching through Tanjore or in the Ramnad district or in Malabar and creating trouble. These innocent men do not know anything; they were told by the Communists ‘you come along with us; we will take charge of this Government; we will become the rulers and we will distribute lands to you free.’ That is the way in which these innocent persons have been approached. In what numbers they have been marching? Fifteen thousand and sixteen thousand people marched together and they attacked everything that they could lay their hands on, either crops or grains or any other thing. That is the way in which things had gone on and it became absolutely impossible, as it were, even with the Police force. The Police here were certainly fitted to tackle such people in an effective manner but it became difficult even for them. Therefore, Sir, it became an inevitable business for us to bring in this Bill with a heavy heart. With what difficulty, you may imagine just now. The Ordinance was there and the Bill is here. But, could we get at these persons who were doing all this mischief? I entirely agree with you that if conditions had changed

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while the Ordinance was there and before the Bill is brought in, certainly there would not have been this Bill before the House. But the situation was not so. I want to give an instance. In almost all places, most of the important men have gone underground; they cannot be traced until now. The hon. Member Mr. Muthuranga Mudaliyar stated just now how these people were up against the Prime Minister. I say, I am not afraid of these things; I am not also worried and I will not also try to wreak any vengeance upon them. Here, I may point out a statement made by the Communist member of the Assembly before he was arrested. He went over from here to Trichinopoly and issued a statement. The whole thing was reported and reproduced. It stated, that the Prime Minister's hands will be cut off, his head will be cut off and he will be beaten with a shoe on the floor of the House if only he was arrested. I knew that all these are young men who have lost their heads, so, I was not afraid of it. Supposing such a thing happens to-day, we must take it. Are we to run away from this place being terrified by such threats? Is there not duty cast upon us to carry on the administration? In that way, Sir, we were obliged to come here with this measure.

" Sir, some hon. Friends, have been referring to trouble inside the Congress Legislature Party. You might have been following the events. There have been no troubles in the Congress Legislature Party so far as the main subjects are concerned and every measure was first placed before the Legislature Party. There might have been some internal differences which are bound to exist so long as we are human beings. On Prohibition, we were agreed; on the Textile policy also, although there were some differences in the beginning, they did not exist afterwards and the members were obliged to accept it except with regard to the surrender of spindles. Again, on the Zamindari Bill, whatever differences there might have been, the measure was agreed upon finally. In regard to these co-operative societies, these producer-cum-consumer societies, there was difference of opinion and Sir, what is it that happened? We had really undertaken big works. We have been told, 'you have been making enemies all round; in every measure you have introduced you have alienated the sympathies and feelings of the people; they are all going to range themselves against you; where is your Government; how long can you get along?' This agitation was carried on in the manner in which there was no parallel in the history of the whole world in a political affair like this. However much differences there have been in the Congress Legislature Party, we were all agreed. There were forces ranged against us and all people thought, there is difference amongst these people, let us try and take hold of the people and deal with the matter. Elsewhere, the Press attempted to do it and other people attempted also. Everyday you must have heard, how long will this Government last; will it last for one week; will it last for two weeks; will it last for one month and even Sanjivi cannot put life into this. That is the way in which the press indulged here and although we could deal with the press, we restrained ourselves; let things go on and let us see where

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they are going to and what the effect of all these will be? Then we have got patience enough to see how things will end and how the public will be able to know the truth about the whole matter.

“ The textile policy, Sir, has been condemned here. Great men and hon. Members like Dr. V. K. John, and Mr. Narayanaswami Naidu and other hon. Friends here have condemned it in that manner as if we have been very civilized men under the British Government, as if they are sitting to-day here advocating the legal profession in the High Court earning thousands and thousands of rupees. In opposing this matter, they have imagined that we have been going wrong in the matter. We have not gone wrong, but we have been doing the right thing so far as this matter is concerned, which is such a sacred matter with every one who knows anything about it. It is only ignorance that makes people attack this khadi programme. We are men; we are people living, but we are people not knowing exactly what is going on in one part of this country with regard to this khadder and with regard to the spinning business. Although Punjab is in the north of this country, the distance is so much that we could not ordinarily think of leaving Madras and going to the Punjab or to Delhi so easily within such a short time. By train it will take 2½ days to reach those places; but, Sir, I have become a good traveller in aero-planes recently. I may tell you, by getting into plane here at 7 o'clock in the morning you reach Delhi at 5 o'clock in the evening. Do you know what is going on in the Punjab? You have condemned khadder; you have condemned spinning because we have condemned mills because for the last 26 years we have been attempting to carry on this khadder and spinning work. The All-India Spinners' Association was started more than 25 years ago and spinning and weaving will be carried on. With what effect? Because all these great men who are luminaries and most civilized men have been carrying on with the mill business.”

SRI B. NARAYANASWAMI NAYUDU :—“ We have the right to condemn khadi; the Hon. the Prime Minister is saying as if we are not civilized men.”

THE HON. SRI T. PRAKASAM :—“ I do not dispute your right.”

MR. K. O. ANTHONI :—“ On a point of information, Sir. Are we on khadi and khadder policy now, Sir.”

* THE HON. SRI T. PRAKASAM :—“ Every member has got the right to condemn and we have got the right to point out the error also. Sir, so far as this Bill is concerned, as I pointed out to you, under extraordinary circumstances we were obliged to introduce this Bill. As I stated to you, without referring to all other incidents which have been taking place during the last ten months—not one month or two months and having regard to all that, we were obliged to introduce this Bill.

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"I thank once again all hon. Members. I did not intend to say anything against any of the hon. Members about their rights. Of course, hon. Members do exercise and they have been exercising those rights. I must tell them this, with regard to the so-called differences in the Congress party itself, this Congress party knows its work; differences there would be sometimes; no doubt the differences this time have taken a wrong turn and a wrong shape, but I was telling you, Sir, on all the main points we have been quite agreed. Even though the question was put here, how long this Ministry will be in office; whom are you going to look to, I say you can look to a Government on this side, and whether these human bodies are here or not, the Congress policy will be the Congress policy; whether we are here or not and others come into our places or not, the Congress policy will be carried out and you need not be in the least disturbed that the Congress policy is split up—there is no such thing like that. I, for my part, have been sitting here and working all these 26 years, not with a view to become the Prime Minister but to sit on the floor of this House and carry on the administration as the servant of the people who sent us here. We should not call ourselves kings or rulers merely because we are called Ministers. 'Minister' means the servant of the people and every one of the Ministers is a servant of the people and they have to serve the people and if they fail in their duty, they have to be turned out; we must go out. If on account of any difference amongst ourselves also, there should be difficulties and we must have the sense, good sense to adjust matters ourselves and carry on and allow the country's administration to be carried on without introducing any differences. Therefore, Sir, none of you need be worried."

SRI B. NARAYANASWAMI NAYUDU:—"We are not worried."

* THE HON. SRI T. PRAKASAM:—"No one need be worried about that matter. It is a simple matter."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR:—"We are worried about the reaction that will be created."

* THE HON. SRI T. PRAKASAM:—"Not only you, but the whole world will be worried about the re-action on the part of my hon. Friends. I can understand that. All the logic and all the reasons he has given are sufficient to prove that this Bill is an absolute necessity. He referred to Vaniyambadi; he referred to other troubles; he referred to occasions on which he and we on this side had to go immediately and take every care to see that nothing untoward has happened. It is Providence that helped and it is not merely leadership that helped us. Take it from me, Sir, I was wondering how people became so very conscious of the whole situation and although such happenings had taken place in Vaniyambadi and in other places with loss of property, there was not a single death caused anywhere. What would have happened if anything had gone wrong or misdirected during that period? If anything had gone wrong in Malabar what would have not happened? My hon. Friend Mr. Anthoni is talking about the

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gagging of the press. What is the press that is intended to be gagged? We have allowed it to do whatever it liked. With regard to the special press of the Communists, one paper was published in Calicut in Malayalam, one in Tamil in Madras and one paper in Telugu in Bezwada. All these things were linked together. What situation had been created? We did not go against them in a reckless manner. We gave them liberty. What did they write? One paper in Calicut wrote, 'Desabimani' wrote an article comparing the old Moplah rebellion. Events had been quoted. Everything was similar to the Moplah rebellion of 1921. Only the people should be ready to take it up and follow it. Because the Moplahs were good and their leaders were good things did not go wrong. Of course you do not see anything untoward. It is not a quiet Province. Although the percentage of Muslims is very small, there were certain areas where anything might have happened. I know it is stated never mind about all these press but the other writings were coming up from the North to these parts and extracts were taken from these papers and brought to us. Therefore the situation worsened. Ordinary measures were not sufficient. This measure has been introduced and the Ordinance has been promulgated to save the country from the serious situation that has developed here. Now, Sir, my hon. Friend described the advisory council as an eye-wash. When we brought an Ordinance we promised to bring in a measure that would be helpful to the persons who would be detained or dealt with under it. We have provided this advisory council because we know something of what other countries had done. It is according to the English constitution, English history and English precedent. I am one of those who had trained myself under them in the past. When we looked into the English Ordinances we came across this advisory council and the advisory council became the subject-matter of a discussion in the House of Lords at one time. In dealing with an Ordinance the advisory council is the best safeguard. That is what those judges said. Of course this is only an advisory council. When this is provided for nobody need think this is a court of law and regular trial by judges hearing lawyers. These Advisory Councils consist of three persons in England. All lawyers know what are called the trial by jury and trial by ordinary law. Trial by jury is not by lawyers or by judges. It is by ordinary common men. Twelve men will sit. As a matter of fact they would take the whole thing into account and they will decide and when they decide there is no appeal provided for against their verdicts. Here in this council, that is the advisory council, it consists of three men and that is the best safeguard and they will have placed before them every available matter and nothing will be withheld from them. There may be some items which may not be disclosed to the persons concerned but they will not be withheld from the advisory councils because they are the judges who will go into the matter and deal with the matter."

DR. V. K. JOHN :—" Why distrust the courts?"

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* THE HON. SRI T. PRAKASAM :—“ I did not expect Dr. John to put that question after hearing me for such a long time. It is because there is a special emergency and this is a special occasion. If everything were to go to the law courts where lawyers and pleaders come and argue, cases filed months and months back are still pending undisposed of. While they are pending this wretched thing was continued. There was no stop. Why don't you put them before a Court of law? Because the courts of law have become ineffective. They were not of any use on occasions like this. Lawyers will be engaged and arguments will be going on without an end. That is why this distrust of courts.”

MR. PRESIDENT :—“ The question is—

‘ that the Bill to provide for preventive detention, imposition of collective fines, control of meetings and processions, control of essential services and certain other purposes, (The Madras Maintenance of Public Order Bill, 1947) L.A. Bill No. 8 of 1947 as passed by the Assembly be taken into consideration ’.”

The motion was put and declared carried.

On a poll being demanded the House divided thus :

Ayes.

- | | |
|----------------------------|-------------------------------|
| 1. Sri N. Ranga Reddi. | 12. Sri C. Perumalswami |
| 2. „ S. Jayaram Reddiar. | Reddiyar. |
| 3. „ C. Veerabhadra Rao. | 13. „ C. N. Muthuranga |
| 4. „ M. Narayana Menon. | Mudaliyar. |
| 5. „ K. Manathunaimatha | 14. „ K. Natarajan. |
| Desigar. | 15. „ S. A. S. Rm. Ramanathan |
| 6. „ O. P. Ramaswami | Chettiyar. |
| Reddiyar. | 16. „ L. Subbarama Reddi. |
| 7. „ V. Nagappa Chettiyar. | 17. „ N. Sankara Reddi. |
| 8. Dr. T. S. S. Rajan. | 18. „ B. Bheema Rao. |
| 9. Sri N. Ramabhadra Raju. | 19. „ M. Narayana Rao. |
| 10. „ P. R. K. Sarma. | 20. „ K. Madhava Menon. |
| 11. „ T. Purushotham. | 21. „ P. Veerabhadraswami. |
| | 22. „ B. Veeraswami. |

Nose.

- | | |
|---------------------------------|-----------------------------|
| 1. Sri D. Krishnamurthy. | 7. Dr. Syed Tajuddin Sahib. |
| 2. Dr. V. K. John. | 8. K. T. M. Ahmed Ibrahim |
| 3. Sri R. Suryanarayana Rao. | Sahib Bahadur. |
| 4. Mrs. M. Hensman. | 9. K. Uppi Sahib Bahadur. |
| 5. Sri B. Narayanaswami Nayudu. | |
| 6. „ M. D. T. Kumaraswami | |
| Mudaliyar. | |

Neutral.

Dr. Sir A. Lakshmanaswami Mudaliyar.

Ayes 22; Noes 9; Neutral 1.

MR. PRESIDENT :—“ The sound of voices against does not warrant the result; the motion is carried and the Bill is taken into consideration at once.”

SRI R. SURYANARAYANA RAO :—“ Are we taking up the Bill, Sir? We have been sitting continuously from eleven this morning.”

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MR. PRESIDENT :—" We will sit till 8 o'clock."

SRI R. SURYANARAYANA RAO :—" But then, Sir, we have to be again here to-morrow morning."

MR. PRESIDENT :—" No doubt you have to come to-morrow. Would you not like to sit till 8 o'clock and finish if possible instead of sitting for it to-morrow? Personally, I would like to sit till 8 o'clock or a little longer, finish the matter and go home once for all."

SRI K. MADHAVA MENON :—" Day after to-morrow being Sunday, we may sit to-day at least till 8 o'clock."

MR. PRESIDENT :—" At least if we go through a major portion of the Bill to-day, we may not have to sit long to-morrow."

DR. V. K. JOHN :—" Our amendments will only take a few minutes each; in so far as we have spoken at length in the introduction stage, we may be able to finish it."

MR. PRESIDENT :—" The Government really want some time. It is only to-morrow evening we can meet to consider this matter. If we finish it to-day, they will have enough time to take further steps of sending copies to the Governor and Viceroy."

THE HON. SRI K. BHASHYAM :—" It must be passed in time for the post to-morrow."

DR. V. K. JOHN :—" We can sit for another fifteen minutes or a little longer and we might be able to finish the amendments."

MR. PRESIDENT :—" That is what I am suggesting."

SRI B. NARAYANASWAMI NAYUDU :—" Mr. President, I rise to move my amendment to sub-clause (4) of clause 1, which stands in my name."

MR. PRESIDENT :—" I suggest to the hon. Member to move his amendment to clause 2; clause 1 will be taken last."

Clause 2—Sub-clause (1).

* SRI B. NARAYANASWAMI NAYUDU :—" Mr. President, in clause 2 (1) (a) after the word 'detained' the following shall be added :—

'only after the Provincial Government declares a state of emergency in any specified area and the person ordered to be detained belongs to that area or has been visiting that area for one month continuously prior to the notification.'

Whatever may be said by the Hon. Minister, I have enough conviction in me to say that it is not correct and must, therefore, be resisted. If it is said that it is to be done in a hurry, I submit that we are not taking days on days over it. Sir, I have already pointed out that this clause deals with detention. The thing is that you have remedies under the ordinary law of the land, that is section

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144 of the Criminal Procedure Code and under it an ordinary Divisional Magistrate can say that a person cannot enter a field and other such things can be proclaimed. The real question is that the man is sought to be detained. I shall just refer to the Magna Carta or the Great Charter. It says 'No free man shall be taken or imprisoned or detained or outlawed or exiled or in any way destroyed (not absolutely) . . . unless by the lawful judgment of his peers or by the law of the land'. You cannot deny an elementary right to a subject of his being judged by his peers or of being condemned according to the law of the land by his own countrymen which is what trial by jury means. You are now trying to take away that liberty. Take the last charter, I mean the Atlantic Charter, it secures to the people freedom from fear among other freedoms. It is not persecution or prosecution. What is wanted is that the subject must not have any fear that anything wrong will be done to him. The ordinary citizen must not fear that he will be detained or sent to jail unless he is condemned and sentenced by his own people and by the law. Of course, there are exceptions; during times of emergency, it has been abrogated and in fact during the war of 1914-1918 it was abrogated, under the Defence of the Realm Acts. Conditions 7 p.m. there are different. Section 18-B of the Defence Regulations shows how utterly helpless a victim of 18-B is to secure redress of his grievances or protection anywhere. If a question is asked about it in Parliament, the Home Secretary has only to say it would be contrary to the national interests to state why he has been detained."

Mr. PRESIDENT:—"You are reading clause 2 (1) (a)?"

* SRI B. NARAYANASWAMI NAYUDU:—"I have given notice of an amendment to clause 2 (1) (a), and I am giving the reasons for that amendment. An extraordinary power is being taken to apply this Bill to the whole Presidency. Sir, I am only seeking to accommodate the Treasury Benches. But I ask them why do you want to put the whole Presidency in fear. I do not mind if you say that you are going to confine it to a particular place.

"Mr. Muthuranga Mudaliyar says he wants power. What is it you want? Is it the power to put people in jail without trial? Who is to say that a particular person is to be detained? The whole question is confusing. Therefore, I submit that it is very much from fear, people will suffer. It is not that you will put us all in jail. If a question is put in Parliament about production of documents, the Home Secretary will say that it is contrary to the national interests to produce documents. But what is the safety of the Realm here?"

Mr. PRESIDENT:—"Your amendment seeks to restrict it to specified areas."

* SRI B. NARAYANASWAMI NAYUDU:—"Yes, Sir. That is why I ask why put the whole Presidency in fear. Why not notify that a state of emergency exists in a certain area—say

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Tanjore district—and then exercise that power. That will be a warning to the people to desist from their activities. I submit that freedom from fear might not be hanging over the whole Presidency. It may be confined to certain areas.

“ Another Lord said : ‘ it is the most arrogant assumption of powers that has been known or heard in this country. Nothing like it has happened since Magna Carta, since the time of Charles I, since the Grand Remonstrance, since the Bill of Rights. Nothing like it has ever been known.’ I ask you whether you are not surrendering your liberties. No doubt you belong to the party in power. Still, is it right that you should surrender all your liberties into the hands of a single man? I am asking what is the safety of the Realm now involved? (Mr. Muthuranga Mudaliar : ‘ We want power to fight against “ goondas ”. To-day you say a particular person is a goonda. To-morrow you will say I am a goonda. Who is to determine all this? ’ (Laughter).

MR. PRESIDENT :—“ May I bring to your attention that you are dealing with the principle? ”

* SRI B. NARAYANASWAMI NAYUDU :—“ I am saying that the fear should be confined to a portion of the Province. As I said already, this is to be adopted only with regard to hostile persons in a country. What is said in the budget speech, Sir? The budget has been presented to us, and what is it that is said there. I may perhaps quote from the Prime Minister's speech :

‘ I may also perhaps mention, with some feeling of satisfaction and pride, that this Province has been free from serious communal troubles of the kind that have occurred in Bengal and Bihar. It is true that some misguided sections of the public have indulged in anti-social activities here, but we hope that these will soon come to an end.’

“ My submission is, in the face of such a statement in the budget, what is the extraordinary reason for putting the whole Presidency in fear. You are so sure of your khadi scheme, but I ask, are you not so sure that this power will not be used against political parties? Will not this power be used to suppress political opponents? The whole bother is there. This much must be done, Sir. If you want to take away the liberty of the people, confine it to certain areas. Sir, this is No. 1 tyranny of the National Government. This is against the cardinal principles of the Atlantic Charter. What happened after the French Revolution, Sir? The people beheaded their own leaders. You are plunging the country into that state now. Therefore, I submit you should be careful about this power. It is good to have the power of a giant, but it is monstrous to use it as a giant.”

* DR. V. K. JOHN :—“ Sir, in seconding this amendment I wish to say a few words. We have had an opportunity of explaining our views to the Government. We do not attribute any bad motives to the Government. I am prepared to support every amendment of his and also other amendments, as they are all good. May I know from the Hon. Premier whether he will go through the several amendments given notice of and see if there is any good

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amendment acceptable to him he will himself bring an amendment as soon as he can. Then probably I may suggest to my friend to move them without making any speeches. As it is, we know what the result of our amendments will be. I appeal to the Premier and suggest to him to give us an assurance that he will carefully go through these amendments and see if anything is acceptable. Then without taking much time the Bill can be gone through."

MR. PRESIDENT :—" If the hon. Member's appeal is going to be responded, I have no objection to ask the Premier to give that assurance."

* THE HON. SRI T. PRAKASAM :—" Whatever experience we gain in course of enforcement of this measure, certainly it will be taken into consideration and necessary steps will be taken to see if there is anything real in it."

* SRI R. SURYANARAYANA RAO :—" In a matter like the advisory council most of us have suggested a judicial tribunal should be constituted. If those words are not to be accepted by the Government it is better we go through the Bill in detail whether we succeed or not."

MR. PRESIDENT :—" The question is that section 2 (1) be amended. The amendment is in the hands of hon. Members. So I shall put the amendment to the vote of the House."

The amendment was put and lost.

* SRI R. SURYANARAYANA RAO :—" Sir, I am afraid I cannot follow the kind advice offered by Dr. John. Still I assure him I shall not take up the time of the House unnecessarily. I shall club my amendments and move them. I move—

' Clause 2 (1) (d) shall be omitted;

' Clause 2 (1) (e) shall be omitted.'

Sir, I shall now deal with these two amendments together. Only the other day the Hon. Minister for Law introduced a Bill repealing the Criminal Tribes Act. The two provisions in the Bill are the provisions enforced against criminals who have to report themselves at police stations at a particular hour. Now, I ask, are these people to be treated as criminals? I only appeal to him. He knows well the rigorous of the provisions of the Criminal Tribes Act. My provision is simply to treat those people, however misguided they might be from his point of view, as gentlemen and not as criminals. That is my object in moving these amendments.

" Then, I shall move my amendment to sub-clause (1) (g) which runs thus :—

' In sub-clause (1) (g) of clause 2 the following words shall be omitted :—

" in respect of his employment or business, in respect of his association or communication with other persons and "

Sir, even in regard to his business Government propose to restrict."

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* K. UPPI SAHIB BAHADUR :—" Sir, are we not to take each amendment separately? Is it your ruling that we are to move all the amendments in one clause together? "

MR. PRESIDENT :—" I am quite conscious of your technical objection ; but it will result in your sitting for longer hours. Let me not be misunderstood. I am quite prepared to take each amendment one after the other. I am only trying to minimize your labour."

K. UPPI SAHIB BAHADUR :—" As one who belongs to the Opposition, I have to safeguard our rights."

MR. PRESIDENT :—" I have no objection ; I will put one amendment after the other to the vote of the House."

K. UPPI SAHIB BAHADUR :—" Otherwise we will have to give up our rights."

MR. PRESIDENT :—" All the amendments moved by Sri Suryanarayana Rao are under one clause. He will now resume his speech."

* SRI R. SURYANARAYANA RAO :—" I will speak on my amendment with regard to sub-clause (1) (g). Sir, it is too much to restrict the liberty of a person preventing him from eking out his livelihood. If he engages himself in dangerous business or employment, dangerous from the point of view of Government, there is always provision to deal with that in the existing ordinary law. I think, Sir, such restrictions are unnecessary and galling. You increase bitterness. The object of any legislation of this kind is not to be vindictive by imposing these restrictions, but to make it reformative. Instead, by making the life of a man miserable at every stage you make life for him impossible. It is not the intention, I know of the Premier to be vindictive. When that is so, why have this galling restriction? Why do you simply copy these rules which are meant for enemies and use them against people, who are your own kith and kin? Such a law was intended for an emergent situation, and such an emergent situation does not exist in this country to-day. Otherwise we would not have been sitting in this House, in this hall, at this hour. If there were air raids, we would not have been here. So I ask, why make the life of a man who may be holding certain views with which we may not agree bitter and treat him as an enemy? I think these galling restrictions are unnecessary, and if they persist I declare they smack vindictiveness."

K. UPPI SAHIB BAHADUR :—" I want to know whether we vote on each item separately."

MR. PRESIDENT :—" Yes ; that is so."

* K. UPPI SAHIB BAHADUR :—" Sir, I support this amendment. It is rather vindictive. Even at a time of war the British Government treated their enemies with some consideration. They were more kind than even the Congress Government. The British Government, a foreign Government, when in utter danger of being overrun by the Japanese, had the kindness to be considerate

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to those who were of pro-Japanese feeling. They were not so hardhearted as not to allow anything for a man to carry on his business. That was not the intention of that kind of Imperialistic Government to crush an opponent."

7-20
P.m.

MR. PRESIDENT:—"Does the Government accept the amendment?"

THE HON. SRI T. PRAKASAM:—"No, Sir."

The amendment of Sri R. Suryanarayana Rao that sub-clause (1) (d) of clause 2 shall be omitted was put and lost.

The amendment of Sri R. Suryanarayana Rao that sub-clause (1) (e) of clause 2 shall be omitted was put and lost.

The amendment of Sri R. Suryanarayana Rao that in sub-clause (1) (g) of clause 2, the following words, viz., 'in respect of his employment or business, in respect of his association or communication with other persons, and' shall be omitted was put and lost.

Clause 2—Sub-clause (1) (i).

* SRI R. SURYANARAYANA RAO:—"Mr. President, Sir, I move—

'that for sub-clause (1) (i) of clause 2, the following shall be substituted, namely:—

"Otherwise regulating his conduct in any such particular as may be specified in the order".'

Sir, the amendment that I have the honour to move is taken from the Defence of India Rules. I do not claim any originality for it. In the Ordinance this clause stood as I have suggested but in the Bill they have changed it as it exists in the Bill. I feel, Sir, that the clause as it stood in the Ordinance was quite good. Sir, in the Bill it reads thus:—

'for such incidental and supplementary matters as may be necessary for the purpose of giving effect to any order under this sub-section.'

This is a very tall order, Sir. It is said anything supplementary and anything incidental are tabooed without mentioning what those incidental and supplementary things are; whereas the Defence of India Rules said: 'otherwise regulating his conduct in any such particular manner as may be specified in the order.' Unless these are mentioned how is the advisory council to know or how can the person who is to be detained put up his defence and send such representation to the advisory council as he would like to? Sir, it is a vague thing to say for such incidental and supplementary matters. Everything can be brought under the words 'incidental' and 'supplementary'. It will be quite clear if it is put as 'otherwise regulating his conduct in any such particular as may be specified in the order.' Sir, the clause as it stood in the original Ordinance was really better than this which is evidently purposely introduced in the Bill, not to remove its rigours but to make it more rigorous."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR:—"Less obnoxious! I second it, Sir."

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MR. PRESIDENT :—“ I expect a formal acceptance or denial from the Government.”

THE HON. SRI T. PRAKASAM :—“ I oppose it, Sir.”

The amendment was put and lost.

Clause 2—Sub-clause (2).

* SRI B. NARAYANASWAMI NAYUDU :—“ Sir, I move—
‘ that sub-clause (2) of clause 2 shall be omitted.’

“ Sir, under this sub-clause the power of internment is not only given to the Government but to any officer or authority including a subordinate officer. I ask the Hon. the Minister for Law to show whether this internment provision can be exercised by a subordinate official. I want the Hon. the Minister for Law to peruse Regulation 18 (b) of the Defence Regulations. Sir, it was at a time when the British Government was at war with Germany and when Normandy was about to be invaded and when they expected the enemies would come down to England did they go in for a provision for internment giving power to the Home Secretary. We know in Germany when Himmler was the Gestapo Chief, he was given the power to delegate his power to subordinates for arresting men and putting them in concentration camps. That has been done in Germany but not in any free country where liberty of the individual exists. Now under the present provisions of the Bill the power of internment can be delegated to Mr. Muthuranga Mudaliyar to be used by him in a deadly manner if he likes. (Sri C. N. Muthuranga Mudaliyar : ‘ I am not an officer.’) But he may be authorized by any officer. Therefore, Sir, they have no idea of the responsibility of internment. Sir, the Lord Chancellor while defending the Home Secretary in the House of Lords in England says as follows :—

“ . . . Here I should say a word about the responsibility of the Home Secretary in these matters. I feel it very much, in view of the fact I have twice held that office. I assure you, My Lords, most solemnly that next to the dreadful responsibility which falls on the Home Secretary of deciding whether a convicted murderer shall be hanged, there is no duty which falls upon him which he regards as so much his personal charge, his deep personal responsibility, as the decision in these internment cases . . .

You have no idea of that liberty. You have been in jails for 25 years and therefore you have become habituated to being in jail. Therefore you do not realize that responsibility. (Laughter.) You have been in jail for 25 years and you now want to put other people in jail. Sir, this is nothing but Himmler and his camp and his ruthless capture, guillotine and mass execution. This is not civilization but savagerization.”

* SRI R. SURYANARAYANA RAO :—“ Sir, I second the amendment. In doing so, Sir, I may, for the information of this House cite some instances that occurred in 1942. Police officers, evidently authorized under a section like this in the Defence of India Rules, arrested people and when we went to the Chief Secretary and begged him to have them released, he said that he had no power. He got the papers, reviewed them and placed them

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before the Government. That means the Governor, and got the order. That, Sir, must be the procedure. This clause empowers any police officer to act. Therefore as you will see later on any police officer can arrest a person, if he is authorized by the Provincial Government. This, Sir, will place the arrested person in a peculiar position. I think, Sir, many hon. Members of this House were in the same position in 1942, still they are giving this power to the police officer."

The amendment was put and lost.

Clause 2—Sub-clause (4).

• SRI R. SURYANARAYANA RAO :—" I move, Sir—

' that in sub-clause (4) of clause 2, after the words " any police officer " the words " not below the rank of a Sub-Inspector of Police " shall be inserted.'

" My suggestion is that instead of saying any police officer you may put it as any police officer not below the rank of a Sub-Inspector. This occurs in most of the Statutes of this Government and that is why I suggest this, Sir "

K. UPPI SAHIB BAHADUR :—" I second it, Sir."

The amendment was put and lost.

Clause 2—Sub-clause (4).

• K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Sir, I move—

' that the following shall be added at the end of sub-clause (4) of clause 2, namely :—

" Provided such police officer or person has been in writing authorized to act in that behalf by the Provincial Government or the officer or authority making the order."

" Sir, the sub-clause as it stands will mean that any police officer whether he has authority in writing from the Government or from the officer concerned or not can arrest any person who is in any place in contravention of the order. Any police officer from any part of the Province can go and arrest. That is why I want that the person who is to arrest a person should be definitely specified."

K. UPPI SAHIB BAHADUR :—" I second it."

The amendment was put and lost.

Clause 2—Sub-clause (5).

SRI R. SURYANARAYANA RAO :—" Sir, I move—

' that in sub-clause (5) of clause 2, after the words " including conditions as to maintenance " the words " of himself and his family, if any " shall be inserted.'

" Sir, this is a very small amendment which I think is in fact even now being given effect to. I suggest, Sir, that the maintenance may be of himself and his family if any. In 1942, Sir,

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when persons were detained and their families were given some allowance though the allowances were not satisfactory. Now, the same thing is going to be repeated under this law and so I suggest that the maintenance of himself and his family if any. That is all that I want, Sir. I trust that this is being given effect to even now by the present Government, I understand, in regard to those who have been arrested and detained."

K. UPPI SAHIB BAHADUR :—" I second it, Sir."

THE HON. SRI T. PRAKASAM :—" I oppose it, Sir."

MR. PRESIDENT :—" I was just trying to bring to the notice of the Government that the absence of the words will not at any time prevent the Government giving allowances to families."

THE HON. SRI T. PRAKASAM :—" Certainly not."

MR. PRESIDENT :—" That is what I wanted to know."

The amendment was put and lost.

Clause 2—Sub-clause (6).

* SRI R. SURYANARAYANA RAO :—" Sir, I move—
' that sub-clause (6) (a) of clause 2 be omitted.'

" This clause attempts to deal not only with the person but also with the property of the man if he is absconding when an order for his arrest has been issued and notified, and he is asked to appear before the court or somebody on a particular date. If he fails to do so, he will have to be apprehended and punished for it. The sub-clause appears to be unnecessary except that it is again copying from some other rule."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" I second it."

The amendment was put and lost.

Clause 2 was put and carried.

Clause 3.

DR. V. K. JOHN :—" I move, Sir—
' that clause 3 be omitted.' "

SRI B. NARAYANASWAMI NAYUDU :—" I second it."
The amendment was put and lost.

Clause 3—Sub-clause (1).

SRI B. NARAYANASWAMI NAYUDU :—" I have given notice of an amendment that in sub-clause (1) of clause 3, the words ' or where any such order is made by an officer or authority subordinate to them ' be omitted.

" I have already said that the power of internment should not be delegated at all, but should be exercised by the Government. But that was not accepted."

MR. PRESIDENT :—" So, the hon. Member does not press this amendment."

SRI B. NARAYANASWAMI NAIDU :—" No, Sir."

(The amendment was not moved.)

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Clause 3—Sub-clause (1).

SRI R. SURYANARAYANA RAO :—" I move, Sir—

' that in sub-clause (1) of clause 3, between the words " to afford him " and " opportunity " the word " earliest " be inserted.'

" This word was once there but has now been omitted for some reason. From the proceedings of the Select Committee kindly lent to me by a Member of the Assembly I find that it was done at the instance of the Government. I am only suggesting that the Government should afford to the person the earliest opportunity and that not undue delay should take place in presenting the facts to the Advisory Council. This was what Government once intended but the word has since been dropped. I think it is fair to the party whose case is to be presented to the Advisory Council that Government should be asked to afford the earliest opportunity to the person concerned to present his case."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" I second it."

THE HON. SRI T. PRAKASAM :—" Sir, it was at the instance of a Member of the Select Committee who is an Englishman that this was done. There was no difficulty."

SRI R. SURYANARAYANA RAO :—" I think it was omitted at the instance of Sri T. Viswanatham."

THE HON. SRI T. PRAKASAM :—" Very wrong, Sir."

MR. PRESIDENT :—" Apart from the personnel, we should like to know the reason, if any, given by the Committee."

The amendment was put and lost.

Clause 3—Sub-clause (2).

SRI R. SURYANARAYANA RAO :—" I move, Sir—

' In sub-clause (2) of clause 3, for the words " the Advisory Council " the words " a properly constituted judicial tribunal " shall be substituted.'

" No words are necessary from me to commend this amendment for the consideration of the House."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I second it."

MR. PRESIDENT :—" Is it opposed? "

THE HON. SRI T. PRAKASAM :—" Yes, Sir."

The amendment was put and lost.

Clause 3—Sub-clause (3).

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I move the following amendment :—

' The following shall be added to clause 3 (3) at the end :—

" and the majority of the members including the chairman shall be persons holding or who have held judicial appointments not below the rank of a District Judge."

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" Sir, the Government have refused to accept an amendment in the other House with regard to the appointment of a judicial tribunal. My hon. Friend Mr. Suryanarayana Rao's amendment also has not been accepted. The next amendment which can be moved is only this. This amendment envisages that at least the majority of the members of the Advisory Council should be persons who have held or who hold judicial appointments and have judicial experience. The Hon. the Premier said that in England trials by jury are held ordinarily, but there the jarymen are guided by judges, but here there is no provision for guidance being given to the Advisory Council by judges. That is why I want that the majority of the members at least should be persons with judicial experience and persons who have held judicial appointments not below the rank of a District Judge. Of course the Government is not bound to accept the findings of the Advisory Council, but let the persons concerned have at least the benefit of their records being examined by persons who have had some judicial experience."

* SRI B. NARAYANASWAMI NAYUDU :—" Sir, trial by jury has been referred to. There a man is judged by his peers. But the peers are not appointed by Government but they are selected by casting of lots. Is the Government prepared to appoint the members of the Advisory Council by having a panel of men and casting lots? No, they are not. Then there is no use of saying that a man is judged by his peers. There is no comparison at all between trial by jury and trial by persons chosen by Government. Sir, if I am judged by Mr. Muthuranga Mudaliyar, he will hang me. If I am judged by Sir Lakshmanaswami Mudaliyar, he will give a different sentence. I ask, Sir, why this camouflage? I asked the Hon. the Law Minister to tell us what is there in the English Act, what is the text of the law there. It must be in the Law Department. Let us see what is the constitution of the Advisory Committee, who appoints it and what are the qualifications of the members. Are we to follow precedents or are you to be the sole guide of yourself? Is it the position that if Mr. Muthuranga Mudaliyar wants three, let us have three? (Laughter.) I second the amendment."

MR. PRESIDENT :—" Order, order."

THE HON. SRI T. PRAKASAM :—" Nothing much need be said. I simply mentioned about the position of the jury in England. Here they will be persons appointed by Government with due care and caution, so that there may not be miscarriage of justice by choosing useless persons. Government will take particular care to see that proper men are appointed."

The amendment was put and lost.

Clause 3—Sub-clause (3).

* SRI B. NARAYANASWAMI NAYUDU :—" I move—

' In sub-clause (3) of clause 3 the words " *whenever necessary* " shall be omitted.'

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" Even the constitution of the so-called Advisory Council is within the discretion of the Government. ' The Government shall constitute an Advisory Council *whenever necessary*.' God only knows how they will constitute and when. Is there any obligation? The section as worded seems to indicate that there is no obligation. It is optional. The words used are ' *whenever necessary*.' "

K. UPPI SAHIB BAHADUR :—I second the amendment.

THE HON. SRI T. PRAKASAM :—" It is obligatory. The words ' *whenever necessary* ' were introduced after a long discussion. It was considered that the Council appointed on one occasion to go into certain cases need not go on continuing, if the particular cases referred to it were over. Afterwards, if it is necessary to constitute an Advisory Council, it will be constituted."

The amendment was put and lost.

Clause 3—Sub-clause (4).

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I move—

' After the words " as it may deem necessary " the following words shall be inserted :—

" and if necessary after giving further opportunity to the person concerned to explain or make representation in respect of any materials placed before it " . '

" Section 3 (1) says that the Provincial Government shall communicate to the person affected by the order, so far as such communication can be made without disclosing the facts which they consider it would be against the public interest to disclose, the grounds on which the order has been made against him and such other particulars as are in their opinion sufficient to enable him to make, if he wishes, a representation against that order. The Government are not under the Bill bound to communicate to the person affected all the particulars available with them. The Hon. Premier said in reply to the general discussion that so far as the Advisory Council was concerned, all the particulars would be placed before it. The Advisory Council may think it necessary that the person affected should be given an opportunity to make any representation in respect of some of those facts which were withheld from him originally. Even according to the provisions of the Bill as framed by the Government, I think it necessary that this amendment should be accepted."

K. UPPI SAHIB BAHADUR :—I second the amendment.

* THE HON. SRI T. PRAKASAM :—" Whatever matter is required to be placed before the person affected to enable him to make a representation will be placed before him. Sometimes there may be matters the disclosure of which to the affected person might lead to certain troubles. Therefore they would be withheld from him. The Advisory Council will certainly go into all the matters."

The amendment was put and lost.

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Clause 4—Sub-clause (1).

* SRI B. NARAYANASWAMI NAYUDU :—" I move—

'For the word "six" the word "three" shall be substituted.'

"Sub-clause (1) says that no order shall be in force for more than six months. This six months is a recurring decimal. With regard to human freedom, it is a suicidal policy to go on detaining a person for six months, again six months and once again six months and so on. That is what the section says."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" I second the amendment."

The amendment was put and lost.

Clause 4 was put and carried.

Clause 5.

* SRI R. SURYANARAYANA RAO :—" Sir, I move—

'that clause 5 shall be omitted and the other clauses shall be re-numbered.'

"I have nothing more to urge than what I have already said in the course of the general discussion on the Bill that the imposition of collective fines is unnecessary. If in an area there is danger to peace and order, there is provision in the ordinary law by which punitive police is stationed and the cost of their maintenance is collected from the people of the area. In areas where there is no danger to peace, there is no need to impose collective fines. I think the present law is quite sufficient to meet the situation."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I second it. In view of the comprehensive nature of the provisions of the Bill, there will be no necessity at all for the imposition of collective fines. The Government have taken ample powers to prevent persons from acting in a manner injurious to the interests of the public. Imposition of collective fines is tantamount to making innocent people vicariously suffer for offences committed by others. On principle also, I oppose therefore the imposition of collective fines."

* SRI R. SURYANARAYANA RAO :—" May I also add that this Congress Government are refunding the fines collected during 1942? "

MR. PRESIDENT :—" I was about to suggest it to the hon. Member for the withdrawal of the amendment."

The amendment was put and lost.

Clause 5 was put and carried.

Clause 6.

* SRI R. SURYANARAYANA RAO :—" Sir, I move the following amendment—

'Clause 6 shall be omitted and the other clauses shall be re-numbered.'

I do not want to keep the House long for the reason, as I said, that section 144 of the Criminal Procedure Code has been used

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in Mannargudi by notification and the period has been extended already by the Government, proclaiming that no meetings, processions, etc., should be held. The Government have got ample powers under the Criminal Procedure Code. This clause is only a repetition of the Defence of India Rules."

* SRI M. D. T. KUMARASWAMI MUDALIYAR :—Sir, I second the amendment."

The amendment was put and lost.

Clause 6 was put and carried.

Clause 7.

Clause 7 was put and carried.

Clause 8.

* SRI R. SURYANARAYANA RAO :—" Sir, I move the following amendment :—

' Clause 8 shall be omitted and the other clauses shall be renumbered.'

The reasonableness of Members of this House can be seen from the fact that we feel that section 7 should form part of the Bill. We have not given notice of any amendment because there is no such provision in the existing law. I bring this fact to the notice of the House to show that we are not unreasonable. Where the Government do not possess powers to deal with a situation and where they want such powers we have not given notice of any amendment to delete the existing clause in the Bill.

" Apart from that, I come to section 8 now. I have suggested the omission of this section, as it affects the right and liberty of workers to organize themselves for the purpose of defending the rights which Labour enjoy. It also interferes with the right of the worker to choose the employment he likes. Even under the Emigration Act the labourer who goes to Ceylon has the liberty to choose work in any estate he likes. Under this law it is impossible to do so. The Government will settle the kind of work which he should do. The Government have been very careful not to entrench on the subjects of the Central Government. They have put in Lists II and III. They cannot include List I without the consent of the Government of India. I do not know whether my hon. Friend, Mr. Sarma, will vote with the Government. It interferes with the right of labour workers. It is a right, a valuable right

MR. PRESIDENT :—" Clause 8 refers to ' any person engaged in such employment.' It does not transfer the worker from one employment to another."

SRI R. SURYANARAYANA RAO :—" The worker is not allowed to choose any employment he likes. That liberty is taken away. With regard to essential services during the war, there was such a provision."

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MR. PRESIDENT :—" I do not understand the hon. Member. The clause says that any person engaged in any employment will be given that employment."

SRI R. SURYANARAYANA RAO :—" You tie the workers down to the employer. It is not open to the employee to give 14 days notice under the Defence of India Rules whose life has been extended till October. After giving 14 days notice, they can strike work. . . ."

MR. PRESIDENT :—" I now follow what the hon. Member says."

* SRI R. SURYANARAYANA RAO :—" It interferes with the legitimate right of the workers. There was such a provision in war-time. This is not necessary in peace-time. I do not know why this Government want this power. Section 81-A of the Central Government Rules gives them the necessary power. Of course it will not last beyond October. I think in an emergency such restrictions may be necessary, as essential services may be affected. But in ordinary times it is not right that the right of the workers themselves to express their demands and obtain them should be taken away. In such cases 14 days' notice is given."

SRI B. NARAYANASWAMI NAYUDU :—" I second the amendment. It does not touch control powers. The Bill does not refer to any specific trade. The Government can ask the agriculturists to continue to grow groundnut alone, whether they like it or not. The economic organization seems to be based on totalitarian principles. I can understand the Government using the powers in the Bill in the case of certain specified trade. There is nothing of the kind. They want to fix up the labourer to one work only."

MR. PRESIDENT :—" The hon. Member will not please look at his hon. Friend, Mr. Muthuranga Mudaliyar."

* SRI P. R. K. SARMA :—" Sir, the amendment moved and now under discussion is so vital and important for labour, for the protection of labour's rights that I cannot remain silent, nor vote with the Government though I am a member of the Party and I belong to the Party. It may be that this amendment moved by the hon. Member, Mr. Suryanarayana Rao, for the omission of this clause, may appear to be trivial and unimportant to some hon. Members of the House. However patriotic one might be, it is not possible for some to appreciate the real difficulties of the working class. We know, Sir, during the war under the Defence of India Rules how workers suffered under many restraints. They had no right to move from one employer to another employer. I know, Sir, that there was at least the National Service Tribunal to interfere and say that under some circumstances the worker can go from one post to another, from one employer to another employer—if he was able to obtain better wages. Even such a saving clause is not found in this legislation. The only rights, the

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only protection and the only safeguard which a worker has in his hands for his advancement is his right to refuse to work if the conditions are not satisfactory. It is a fundamental right"

MR. PRESIDENT :—" I would suggest to the hon. Member not to be so violent otherwise his hon. Friend, Mr. Suryanarayana Rao might come under this Bill for inciting him to violence."

SRI P. R. K. SARMA :—" Mr. Muthuranga Mudaliyar rose up and measured and compared sacrifices of Members to the country. There may be persons whom my hon. Friend may not know, whose sacrifices might not be known to him. It is not jail-going alone is a sacrifice. There may be men who have undergone greater sufferings and made greater sacrifices in furtherance of some noble causes without having to go to jail."

MR. PRESIDENT :—" The hon. Member will confine his remarks to the amendment before the House."

8 p.m. SRI P. R. K. SARMA :—" Sir, the only right the worker has got, to secure improved conditions of service, in the absence of any protective legislation and in the absence of legislation for ensuring minimum wages, hours of work, etc., is his right to strike. This clause denies the worker his fundamental right for which he is entitled and for which he has fought all along. Sir, no democratic body, or popular legislature should pass a clause of this character and I, therefore, support the amendment, that clause 8 shall be deleted."

MR. PRESIDENT :—" The amendment is—

'that clause 8 shall be omitted and the other clauses be renumbered.'"

The amendment was put and lost.

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Mr. President, I move—

'that Explanation (1) under clause 8 shall be omitted.'

" It says :

'Abandonment of employment or absence from duty by any person merely for fear of molestation, intimidation or assault by any person or class of persons shall not constitute a reasonable excuse within the meaning of clause (b).'"

" Well, Sir, we know that during strikes and labour troubles it is quite possible that a person who is on his way for work might be molested, intimidated or assaulted. According to this explanation, even if he is molested, intimidated or assaulted, even if there is any risk to his life, he must go to his work. If not, he commits an offence under this Act, for which he is punishable. It is too much of a risk to be expected of any ordinary man and I consider that the provision is very stringent; it is, therefore, but reasonable that this explanation should be omitted."

K. UPPI SAHIB BAHADUR :—" I second the amendment, Sir."

The amendment was put and lost; clause 8 was then put and carried.

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K. UPPI SAHIB BAHADUR :—“ Sir, it is now eleven hours we have been sitting here and it is very inconvenient for us to sit any more.”

MR. PRESIDENT :—“ I am just coming to that. There are a few more amendments and I do not know if hon. Members are very keen in making big speeches on them. If the House is inclined, I suggest that we may finish the Bill once for all to-day, so that we may not sit to-morrow also. Of course, the House has every right to have its say in the matter, but I wish that the Hon. the Premier and the hon. the Leader of the Opposition may consult each other and come to some decision just now.”

THE HON. SRI T. PRAKASAM :—“ I would appeal, Sir, to the Leader of the Opposition and the other hon. Members to sit for half-an-hour more and finish this Bill.”

* K. UPPI SAHIB BAHADUR :—“ I do not think, Sir, we shall be able to finish this Bill within another half-an-hour, because this is a measure in which some of us feel very keenly and in the third reading stage we have to have our say again. Besides, there are other questions also.”

SRI K. MADHAVA MENON :—“ If we want really to help the Government, we must sit for half-an-hour more and finish it, Sir.”

(A number of hon. Members stood up at the same time and urged for the adjournment of the House to the next day.)

MR. PRESIDENT :—“ I should like to know the opinion of Sir Lakshmanaswami Mudaliyar.”

DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—“ Sir, we had better take it up to-morrow, having regard to the fact that the tempers are a bit frayed. Some of us also would like to speak on the third reading stage.”

MR. PRESIDENT :—“ Shall we sit at 9 o'clock to-morrow ? ”

(Several Members again stood up and made various suggestions, but it was finally agreed to have the meeting at 9-30 a.m. on 8th March 1947.)

MR. PRESIDENT :—“ The House stands adjourned to 9-30 a.m. to-morrow.”

